

BASIN

43BV

INTERBASIN

TRANSFERS

To: Montana Water Courts and James Kindle

From: Billings Field Office

Re: Basin 43V Interbasin transfers out

<u>Claim #</u>	<u>POD Basin</u>	<u>POU Basin</u>	<u>Owner and Address</u>
114059	43BV	43B	Bainter and Sons, Inc. Big Timber, MT
114060	43BV	43B	"
114061	43BV	43B	"
114062	43BV	43B	"
114063	43BV	43B	"
114064	43BV	43B	Louise Forsythe Big Timber, MT
136255	43BV	43B	Louise Forsythe Big Timber, MT
136256	43BV	43B	McCauley Farms Big Timber, MT
114040	43BV	43B	McCauley Farms Big Timber, MT
114041	43BV	43B	"
114042	43BV	43B	E. Hunt McCauley Big Timber, MT
114043	43BV	43B	"
114044	43BV	43B	Donald Bainter Big Timber, MT
033316	43BV	43B	"
004002	43BV	43B	Louise Forsythe Big Timber, MT
017041	43BV	43B	Sweet Grass Canal and Reservoir, Big Timber, MT
125787	43BV	43B	

BASIN 43BV

**ACCEPTABLE LAKE AND
RESERVOIR NAMES**

To: Montana Water Courts and James Kindle
From: Billings Field Office
Re: Basin 43BV Source Names

Lakes

Rein Lake--UT Sweet Grass Creek
Thunder Lake-- Big Timber Creek, North Fork
Granite Lake-- Big Timber Creek, North Fork
Blue Lake-- Big Timber Creek, North Fork
Swamp Lake-- Swamp Creek, South Fork
Hidden Lake-- Big Timber Creek, Middle Fork
Lost Lake-- Big Timber Creek, South Fork
Crazy Lakes-- Big Timber Creek, South Fork

Reservoirs

Lake Wolvoord--UT Sweet Grass Creek
Lake Adam--UT Sweet Grass Creek

BASIN

43BV

temporary Preliminary

ORDER AND

WATER MASTER

REPORT

Dec. 12, 1984

IN THE WATER COURTS OF THE STATE OF MONTANA
YELLOWSTONE DIVISION STATE OF MONTANA
SWEET GRASS CREEK BASIN Water Courts

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE SWEET GRASS)
CREEK DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF THE SWEET GRASS)
CREEK IN PARK, STILLWATER AND SWEET)
GRASS COUNTIES, MONTANA.)

I hereby certify that the instrument to
which this certificate is affixed is a true,
correct and unaltered copy of the original
on file in the office of the Clerk of the
Water Courts of the State of Montana this
18th day of Dec. 1984.
Chris Jensen
Clerk of the Water Courts

ORDER

After having reviewed the Water Master's Report of existing rights in the Sweet Grass Creek Basin, the Court finds that the Report meets the requirements for the Temporary Preliminary Decree set forth in 85-2-231(1) MCA 1978. The Court, being satisfied with the Findings of Fact and Conclusions of Law contained in the Report, hereby

ORDERS that the Water Master's Report (attached herein) and the abstracts of the individual water rights in the Sweet Grass Creek Basin be adopted as the Temporary Preliminary Decree for that Basin pursuant to Section 85-2-231(3) MCA 1978.

DATED this 14th day of December, 1984.

W. W. Lessley
W. W. LESSLEY
Chief Water Judge
Montana State Water Courts

IN THE WATER COURTS OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SWEET GRASS CREEK BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE SWEET GRASS)
CREEK DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF THE SWEET GRASS CREEK)
IN PARK, STILLWATER AND SWEET GRASS)
COUNTIES, MONTANA.)

REPORT OF THE WATER MASTER ON THE
SWEET GRASS CREEK BASIN

This Report is submitted to the Honorable W. W. Lessley,
Chief Water Judge, by Kathryn L.W. Lambert, Water Master for the
Sweet Grass Creek Basin.

FINDINGS OF FACT

1. Authority to Act

This Decree is issued by a Water Judge as authorized by
Chapter 697, Session Laws 1979 (85-2-201) as amended.

2. Description of Basin

William Clark and party were the first white men in this
area; the time was 1806. Hunters and trappers later came into
this area, the hunting grounds of the Crow Indians.

After 1873, permanent settlers drove their cattle and horses
into the valleys of the Big Timber and Sweet Grass. Later they
farmed.

This Basin of the Sweet Grass Creek lies in the South
Central part of Montana. Here is the Gallatin National Forest

of the Crazy Mountains, the forests of the Bear Tooth Range.

Although the summers are short, plentiful crops are raised due to the long hours of daylight and the intense sunshine of the high altitudes.

Water Survey describes the soils of this Basin in these words:

"The soils in Sweet Grass County are, in general, lacking in organic material but tend to retain a large portion of soluble mineral salts because of their development under semi-arid climatic conditions. Successful irrigation of such soils require adequate drainage, natural or artificial, to assure removal of excess water that might otherwise be evaporated from the soil surface and leave a concentration of salts. The soils of the western part of the area are darker than those of the eastern part, a result of the general rise in elevation from east to west and the heavier precipitation and more luxuriant growth of grasses near the mountains.

Much of the land is seeped and saline due partially to the good water-holding capacity and only poor to fair surface and subsurface drainage of the soil. The soils are shallow with fragments and slabs of fine-grained sandstone on the surface. The soil is predominately silt loam with smaller outcrops of cobbly clay loam, sandy loam, silty loam and clay loam."

Most of Sweet Grass County lies within the drainage basin of the Yellowstone River. The principal streams from which water for irrigation is derived are the Yellowstone River and its principal tributaries - Boulder River, Big Timber Creek, Otter

Creek and Sweet Grass Creek.

Sweet Grass Creek, the largest perennial tributary of the Yellowstone River, Otter Creek and Big Timber Creek rise in the rugged Crazy Mountains, fed year round by melting snows. They flow in an easterly direction from the Crazy Mountains and then gradually veer southward to their confluence with the Yellowstone River.

705 claims of existing water rights were filed in the Sweet Grass Creek Basin for irrigation, stockwatering, domestic and other uses. A map outlining the boundaries of the Basin is attached.

3. Water Right Owner

Generally, the Court issues a water right to the appropriator, who is usually the claimant. If there is evidence that a change of ownership has occurred, the Court issues the right in the name of the new owner. If a change has occurred and the Court was not informed, the correct name can be added at a later date.

Some water rights are claimed by more than one person on separate claim forms. When both claimants insist on ownership, each is decreed the right but a remark is added to each decree noting the conflict.

4. Pre-1973 Water Rights

The general adjudication of water rights is to cover rights existing before 1973.

An existing water right includes those rights which would be protected under the law as it existed prior to July 1, 1973, pursuant to 85-2-102(7) MCA.

5. Specifics of Procedure

The Court outlined and supervised the procedure of processing the claims to existing rights. A claim is examined for incomplete or inaccurate information. It is then reviewed for actual and beneficial use. The Court ordered the Department of Natural Resources and Conservation to assist in the processing of the claims.

The extent of each individual water right claim is further defined by these Findings of Fact and Conclusions of Law. Where a claimant filed two or more water rights on the same claim form, each right was separated and assigned an individual water right number. If the claim did not include all the information required by 85-2-224 MCA and the information was not available, the right was decreed within the limits of the information submitted.

The specifics of each individual claim is defined by an abstract of the water right. Each individual abstract of the claimed right includes (where possible):

- (a) The name and post office address of the owner of the right;
- (b) The amount of water, rate and volume included in the right;
- (c) The date of priority of the right;
- (d) The purpose for which the water included in the right is used;
- (e) The place of use and a description of the land, if any

- to which the right is appurtenant;
- (f) The source of water included in the right;
- (g) The place and means of diversion;
- (h) The inclusive dates during which the water is used each year;
- (i) Any other information necessary to fully define the nature and extent of the right.

6. Multiple Uses of a Water Right

Usually, a water right is decreed and the uses of the right are noted. In this general adjudication, the claimants filed separate claims for each use of the water right. Special claim forms were used for irrigation, stockwatering, domestic use and a catch-all form for all other uses. As a result of this unique filing, each use of a water right will be decreed separately. Therefore, a water right might be represented by two or more decreed uses.

A remark notation of the multiple use of a water right appears in the following instances:

1. Whenever an irrigation and an "Other Use" are for the same water right.

2. Whenever a water right has two or more "Other Uses."

In all cases where any multiple use of a right occurs, the combined flow rate and volume cannot exceed the original appropriation. The use of the right for several purposes does not increase the extent of the right, rather it decrees the right to alternate and interchange the use (purpose) of the water in accord with historic practices.

7. Source Name

Although some sources of surface water in the Sweet Grass

Creek Basin were claimed under several names, the source is generally designated in the Decree by the name listed in the United States Geological Survey. If the source has not been designated by the U.S.G.S., the source name of most common recognition in the locality has been used.

Commonly recognized reservoir and lake names will appear as source names. Those lakes and reservoirs that have no commonly recognized name are generally decreed under the name of the outflowing stream. The source name index of the Temporary Preliminary Decree cross-indexes any such source names for easy access.

When more than one source is claimed for a water right, the Court determines the major source and lists that source in the Decree. If more than one source is determined to be major, a separate claim is made for the claimant.

8. Priority Date

The priority date claimed is recognized as prima facie and so decreed except where it is incomplete; or it would result in a clearly erroneous interpretation of the law; or the claim's supporting documentation contradicts the claimed priority date.

Priority dates were decreed in accord with the following:

Where a claimed priority date included only a year, or a year and a month, the last day of the year and the last day of the month are decreed as the priority date.

Priority dates for groundwater rights after 1961 are reviewed for compliance with the Groundwater Act. Priority

dates are not changed if it appeared that the wrong form had been used.

If a claim to groundwater after 1961 is based on use, the priority date is decreed as the date of filing the claim to the existing right.

9. Irrigation

Irrigation is a beneficial use of water.

Flow Rates. In this general adjudication under Chapter 697, Session Laws 1979, flow rates are decreed in gallons per minute (gpm) or in cubic feet per second (cfs) instead of the traditional miner's inches. Eleven gpm is equivalent to one miner's inch; forty miner's inches is equivalent to one cubic foot per second.

THE FLOW RATES OF ALL PREVIOUSLY DECREED WATER RIGHTS ARE UNCHANGED AND ISSUED IN ACCORD WITH THE FLOW RATE DECREED IN THE ORIGINAL ADJUDICATION.

WHEN DIFFERENT CLAIMANTS CLAIMED WATER RIGHTS BASED ON DECREES AND THE TOTAL FLOW RATE CLAIMED BETWEEN THE CLAIMANTS EXCEEDED THE AMOUNT ON THE DOCUMENT, A REMARK IS ENTERED ON EACH DECREE NOTING THOSE DECREED USES OF THE EARLIER DECREED RIGHT.

Flow rates based on a "filed notice of appropriation" or "use" right shall not exceed a reasonable application rate. A reasonable application rate for flood, sprinkling and pump systems which is in keeping with the general requirement of most users in the Basin shall not exceed 17 gpm per acre (1.5 miner's inches). The Court has decreed all claimed flow rates of 17 gpm

per acre or less on such systems. HOWEVER, IF THE SUBMITTED DOCUMENTATION CLEARLY DOCUMENTS A LARGER CLAIMED FLOW RATE, IT WAS SO DECREED.

Water spreading, subirrigation and natural overflow and other irrigation systems not subject to quantification do not generally have a constant or consistent flow rate. The extent of the right is limited by the decreed volume. While the water rights for subirrigation and natural overflow are decreed, the owner of the right does not have a right to demand continued right of the water by these means of diversion.

Volume. Volume is decreed in acre-feet beneficially used in one year. An acre-foot of water will cover one acre to a depth of one foot. Net crop consumption requirements are considered to be the total amount of irrigation water a crop will use during an average growing season. Water usage is dependent on the overall efficiency of the irrigation system. General maximum requirements of differing systems are outlined in the following table:

Climatic Area	Flood Systems (diversion ditch) Volumes (AF/A)	Sprinkler & Pumped Diversion Systems Volumes (AF/A)	Water Spreading Systems, Subirrigation and Natural Overflow Volumes (AF/A)
I	11.4	4.5	2.3
II	10.2	4.0	2.0
III	9.4	3.8	1.9
IV	8.5	3.4	1.7
V	7.2	2.9	1.4

Volumes are measured at the point of diversion

Period of Use. Because the period of use can vary widely

for each individual user, the period of use is accepted as claimed unless the claimed period of use contradicts a previously decreed or documented period of use.

If a period of use was not designated by the claimant, a period of use for irrigation claims was assigned in accord with a reasonable irrigation season for the climatic area. Those seasons are as follows:

<u>Climatic Area</u>	<u>Period of Use</u>
I	3-15 to 11-15
II	4-01 to 10-30
III	4-15 to 10-15
IV	4-20 to 10-10
V	4-25 to 10-05

Place of Use.

A. Verification of Place of Use. Irrigation rights are decreed to a defined place of use. In delineating the place of use, the claim is verified by the use of aerial photographs, field investigation and data submitted by the Department of Natural Resources and Conservation and the claimant. The place of use for irrigation is accepted as claimed except when the land did not appear irrigated or irrigable.

The place of use is designated by legal land description and can be further defined by reference to the maps and referenced aerial photographs included in the Court records.

B. Supplemental Water Rights and Place of Use. In many cases, several water rights with differing priority dates or different sources are combined to supplement the irrigation requirements of all or part of the same acreage. Supplemental

rights means the rights have overlapping places of use. The rights can be combined to irrigate only overlapping parcels of the claimant's total acres. The combined volume of these rights shall not exceed the given acre-feet per year. Each right is limited to the flow rate, volume and place of use.
volume.

Place and Means of Diversion. The place and means of diversion are designated. The place of diversion is specifically designated by legal land description.

Secondary points of diversion are noted when possible; however, the claim and claimant's map in many cases will more specifically define the point of diversion.

When a point of diversion is found on a source other than the one claimed, the other source points of diversion are decreed when that source is determined to be an incidental part of the original source. A remark will appear with the other source points of diversion that identifies the incidental source. If the other source is not considered incidental, a separate claim is created.

THIS INFORMATION IN THIS FINDING IS ONLY A GUIDELINE AND IS SO USED. THEY CAN AND WILL BE MODIFIED TO SHOW THE WATER CLAIMANT'S OWN CIRCUMSTANCES. THIS CAN BE DONE ON CLAIMANT'S OBJECTIONS OR WATER COURT'S OWN MOTION.

10. Irrigation Districts

Some irrigation districts used their water rights on designated places of use and the right has become appurtenant to

the land. In those cases, the claim was verified and decreed in accord with the criteria used for all other irrigation claims.

Where the irrigation district engaged in the sale of water or the place of use changed on a continuing basis, the claimed flow rate and volume were decreed as claimed without an attempt to verify usage.

The several rights on one claim form are identified as being supplemental. Water rights from separate sources that water the same land are identified as being supplemental.

11. Domestic Use

Flow Rate. The average flow rate from a groundwater source in the State of Montana is approximately 25 gallons per minute. However, a flow rate of 40 gallons per minute is acceptable. As a result, those domestic rights with a claimed flow rate of 40 gallons per minute or less are so decreed. Where the claimed flow rate and the accompanying documentation does not substantiate a flow rate, the right is decreed a flow rate of 25 gallons per minute. When a flow rate claimed had been previously decreed, the flow rate is not changed.

Volume. A reasonable volume of water for domestic use is calculated at 1.0 acre-feet per household with an additional .5 acre-foot for each quarter acre of yard.

Flow rates and volumes are measured at the point of diversion.

Place of Use. Land irrigated as part of the domestic use is decreed as part of the place of use. If a claim for domestic

use included irrigation separate from the domestic use, the irrigated land was decreed separately.

Period of Use. The period of use claimed is the period of use decreed.

12. Stockwater

Volume. Stockwater is a beneficial use of water. The limit of the right is based on a consumptive use of 30 gallons per day per animal unit. An animal unit is described as a cow/calf pair or equivalent. The number of animal units is in most instances limited to the reasonable carrying capacity of the area historically serviced by the water source. In those cases when historically the source is utilized more intensively, for instance in the case of a confined stockyard, the right increases based on the number of animal units. Finally, where the stockwater is impounded in a reservoir, a right to reasonable carryover for use in future years is acknowledged.

Flow Rate. The flow rates for groundwater developments for stockwatering purposes were governed by the same principles on domestic groundwater sources. Those rights involving stock drinking directly from instream surface water sources do not reflect a specific flow rate. The instream flow rate shall be reasonable and shall not exceed the extent of the right as historically utilized.

Place of Use. Where stock drink directly from the surface water source, the point of diversion and place of use seek to show all land adjacent to the source.

13. Reservoirs and Storage of Water

A storage right can exist for water that would otherwise go to waste. This right is dependent upon the lack of interference with other rights.

The right to appropriate water by storage in a reservoir is a right separate from a water right. Actual beneficial use of stored water creates a water right. The Court decrees the limits of that right.

14. Other Uses

In the Sweet Grass Creek Basin, water use claims for commercial and fish and wildlife were submitted.

The Court finds that no individual nor Department filed any valid instream claims for fish, wildlife and recreational instream uses.

"Murphy Rights." Section 1 of Chapter 345 of the 1969 Session Laws provided for the appropriation of water in designated streams to maintain fish and wildlife habitat. The Court subjects these rights to all prior existing rights pursuant to 89-801 RCM 1947. The flow rate and volume of these rights are subject to change should the Court determine the waters are needed for a use determined to be more beneficial to the public.

Flow Rates. Flow rates are decreed as claimed unless the documentation accompanying the claim supported a different amount. The Court could not, however, determine a flow rate for the minimal amount necessary to sustain fishing, wildlife,

recreation and navigation. Flow rates for mining, power generation and fish raceways are accepted when it is determined that the amount claimed is less than the average annual stream flow. Rates in excess of the average annual stream flow are reduced to that average rate.

Volumes. Volumes are decreed as claimed unless the documentation accompanying the claim support a different amount.

Commercial and industrial use are limited to a volume based on a twelve hour day unless documentation supports a higher volume based on an extended period of use.

Agricultural spraying was limited to a reasonable volume of five acre-feet unless documentation supported a higher volume.

Incidental Use. Many purposes, especially fish, wildlife and recreation, are incidental to another beneficial use of water. The extent of the water right for an incidental use is no more than the extent of the primary use of the water.

Non-Consumptive Use. The Court recognizes that several uses do not consume water. A remark is added to these uses declaring the use to be non-consumptive.

15. Standards

The standards used by the Water Court to aid it in calculating flow rate, volume and other elements of a water right are merely yardsticks to serve as a means to what should or should not be.

THEY ARE NOT ABSOLUTE; THEY ARE NOT UNCHANGEABLE; THEY ARE NOT INFLEXIBLE. THEY ARE SUBJECT TO MODIFICATION TO REFLECT AN

INDIVIDUAL CLAIMANT'S WATER RIGHT IN ITS TRUE AND CORRECT SENSE.

16. Claimed Federal Reserved Water Rights

The determination of water rights in the Sweet Grass Creek Basin shall be subject to the contents of any future compact negotiated by the Montana Reserved Water Rights Compact Commission and the United States of America which will determine reserved water rights of the United States Forest Service. Should no compact be approved in accordance with Title 85, Part 2, Chapter 7, Montana Code Annotated (1983) or applicable law, this Preliminary Decree is subject to the determination, in accordance with State procedure, of water rights claims of the United States of America on behalf of the United States Forest Service. The general adjudication of water rights is to cover rights to the use of water which would be protected under the law as it existed prior to July 1, 1973, subject to the livestock and domestic uses exempted in 85-2-222 Montana Code Annotated (1983).

17. Terminated Claim

The Water Court takes judicial notice of water claims that have been terminated during this adjudication process. Instances are:

1. A claim filed with the adjudication Field Office and withdrawn and terminated by the claimant because of self-confessed errors and filed anew.
2. Claims filed and then withdrawn at claimant's request.

3. Claims that appear in the abstracts of water rights as part of the Temporary Preliminary Decree because they were assigned a "number" by the Helena, Montana office, and later returned to the forwarding Field Office; and these claims have a remark on the abstract of their termination for one reason or another from claimant. These claims are "alphabetized" and stored in the archives of the Department of Natural Resources and Conservation by Field Offices.

The claims are printed in both decrees. The "0" prefix will tell the computer to print a statement saying, "The Court finds no right for this claim, as it has been withdrawn at the request of the claimant."

4. Claims terminated by the Field Offices and the DNRC before an Order of this Court of April 22, 1982, ordering that these claims were not to be terminated but stamped at the time of filing and processed as all other claims, even though there was a failure of payment of fees. All claims terminated because of lack of payment will be considered specially by this Court at the time of Temporary Preliminary Decree hearings.

18. Supreme Court

That there is pending in the Supreme Court of the State of Montana, Case #83281, entitled Department of State Lands vs. Walter Pettibone and Others; that an opinion has not been issued in that case.

Based on the Findings of Fact, the Water Master makes the following:

CONCLUSIONS OF LAW

1.

This Report meets the requirements for a Preliminary Decree as required by 85-2-321 MCA 1979.

2.

For each person who claims an existing water right in this Basin, there is attached to this Temporary Preliminary Decree a statement defining the nature and extent of his claimed right, as found by the Water Court and as requested by 85-2-231 MCA and 85-2-234 MCA; these Conclusions make all these attached statements a part of this Report.

3.

All notices, all substantive and procedural requirements of court adjudication of water claims and requirements for hearing and decision have been fulfilled.

4.

The water adjudicated in this cause is a water use that is of a beneficial use and is the property of the State of Montana and for the use of these named water claimants, subject to their appropriative rights as specified in this Report.

5.

All Findings are merged with these Conclusions of Law to give them the force of law in this Report.

6.

Should the reserved water rights claims of the United States of America on behalf of the United States Forest Service be determined by a compact approved in accordance with Title 85,

Part 2, Chapter 7, Montana Code Annotated (1983), or approved in accordance with applicable law, objections to the Preliminary Decree may be made by the United States of America, the Department of Natural Resources and Conservation, a person named in this Decree, or any other person for good cause shown.


Should no compact be approved, the claim of the United States of America on behalf of the United States Forest Service will be determined by this Court in accordance with State procedure.

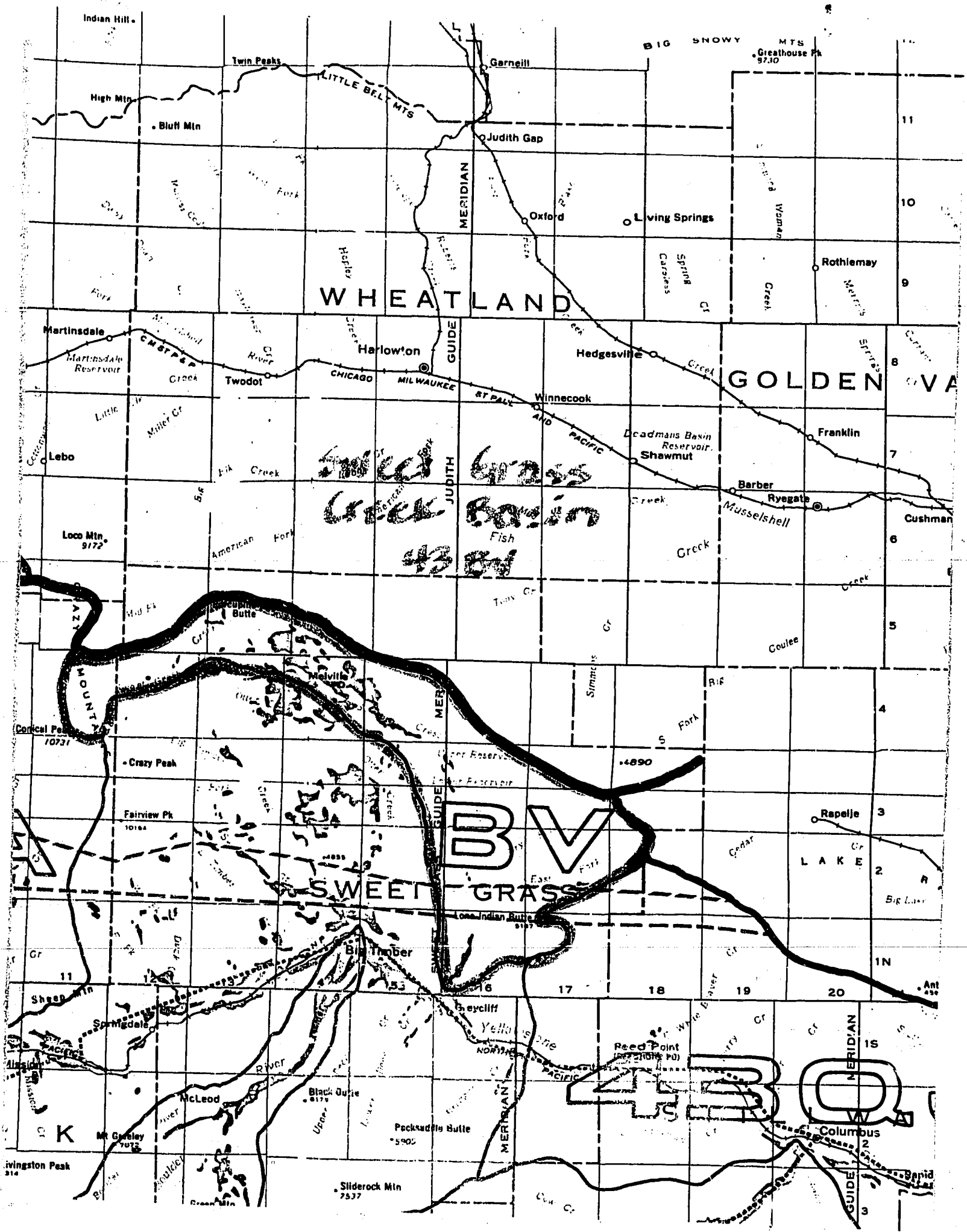
No Final Decree will be issued on the Sweet Grass Creek Basin until each person who has filed a claim of existing right and the United States of America on behalf of the United States Forest Service has been notified of the determination of all water right claims in the Basin, including the reserved water rights of the United States Forest Service, and any proper objections to those determinations have been heard.

7.

All Decrees, both Preliminary and Final, shall be amended to conform to the final decision in Case #83281, entitled Department of State Lands vs. Walter Pettibone and Others.

DATED this 14th day of December, 1984.


KATHRYN L.W. LAMBERT
Water Master
P.O. Box 879
Bozeman, MT 59715



IN THE WATER COURTS OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SWEET GRASS CREEK BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
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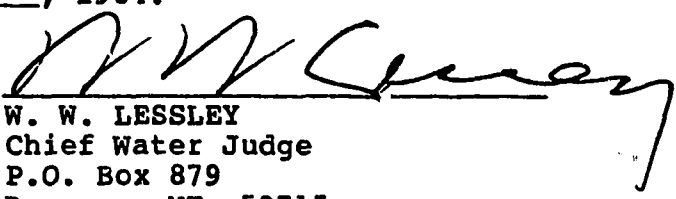
MEMORANDUM

Early in our State's history (March 12, 1885) we were concerned about measurement of Montana water.

85-5-302 MCA, whose genesis was a statute of 1905, is still our guiding law. It states "... shall be required to have suitable headgates at the point wherein a ditch taps a stream and shall also, at some suitable place on the ditch and as near the head thereof as practicable, place and maintain a proper measuring box, weir or other appliance for the measurement of water flowing in such ditch."

Now, as we move into the present and future of water and its management, measurement of that water is most important.

DATED this 14th day of December, 1984.


W. W. LESSLEY
Chief Water Judge
P.O. Box 879
Bozeman, MT 59715

IN THE WATER COURTS OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SWEET GRASS CREEK BASIN

IN THE MATTER OF THE ADJUDICATION)
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OF ALL THE WATER, BOTH SURFACE AND)
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CREEK IN PARK, STILLWATER AND SWEET)
GRASS COUNTIES, MONTANA.)

MEMORANDUM

The command of the Legislature was to "expedite" and facilitate the adjudication of the water rights of Montana.

To assure a speedy, simple and effective program for adjudication of Montana water, there was created a specific statewide program, operated by a newly created Water Courts system, all under the supervision of the Montana Supreme Court.

The Act creating the adjudication program and its Water Courts became law May 11, 1979; immediately on June 8, 1979, the Supreme Court promulgated its rules and prescribed forms and set in motion a statewide filing of water right claims.

Meanwhile, between May 11, 1979 and June 12, 1979, Water Judges were elected. Present Water Judges are Bernard W. Thomas, Robert M. Holter and Roy C. Rodeghiero. Early in June, 1979, these Water Judges met and began supervising (under Supreme Court direction) the preparing, filing and collecting of more than 200,000 water claims in the State of Montana. These Judges met and elected Judge W. W. Lessley to act as a Chief

Water Judge to give direction and unity to their work. (In 1981 a statute amending the original Adjudication Act was passed and Lessley was appointed Chief Water Judge by Chief Justice Haswell of the Supreme Court.)

On April 30, 1982, all water claims were in under the direction of the Water Courts and clarification by field personnel began.

In early November, 1980, the first Water Master was appointed and adjudication began in two large basins of the Powder River. 10,302 water claims were adjudicated, 316 objections were filed; hearings held on 146 cases. A final decree on both basins was filed April 14, 1983, and only one appeal from all that adjudication has been filed in the Supreme Court.

Meanwhile in June, 1983, the Water Courts had the 200,000 claims computerized and in a single master computer located in Helena. The Courts are now supervising the final verification of all claims for the final computer run for all preliminary decrees.

The organization and staff of the Water Courts has grown. As directed by the Legislature, it has three Water Judges, a Chief Water Judge, three Water Masters, an engineer assigned to and actively working with the Water Courts, and two office employees skilled in office skills, word processing, docket-base computer work and in Water Courts procedures and forms.

The Water Courts have established their own Rules of Court, specialized forms for objections, pre-pre trial and pre-trial

procedure for water case hearings and trials; all objections are heard promptly and accurate recording machines prepare Court records and transcripts of all hearings.

As of now, final decrees have been issued in three Basins.

The Water Courts in 1984 will adjudicate at least sixteen Basins; there is a real possibility to adjudicate 20 Basins.

Specifically, 13,506 individual water claims have been clarified, verified and adjudicated by preliminary decrees as of January, 1984, with final decrees ahead.

This comprehensive Water Court program has been challenged in Federal Courts. The words of the District Federal Judges who first heard the challenge are significant. The key phrase of the evaluation of Montana's program by Chief District Judge Battin and District Judge Hatfield is: "It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient." Federal Judges Battin and Hatfield spell out the specifics of the working of the Montana Water Courts in this clear and practical language:

"By enactment of the last legislature of the State of Montana, Senate Bill 76, as yet uncoded, has provided the vehicle for adjudicating claims of existing water rights in Montana. The provisions of that Bill bear heavily upon this Court's decision to dismiss these cases on the basis of wise judicial administration.

In essence the Bill provides for adjudication of all existing water rights in the State of Montana. Section 6 of the Bill provides that:

- 1) The action for the adjudication of all existing water rights under [this act] is commenced with the issuing of the order by the Montana Supreme Court to file a statement of a claim of an existing water right as provided in [section 16].
- (2) The water judge for each division shall exercise jurisdiction over all matters concerning the determination and interpretation of existing water rights within his division.
-
- (4) All matters concerning the determination and interpretation of existing water rights shall be brought before or immediately transferred to the water judge in the proper water division unless witnesses have been sworn and testimony has been taken by a district court prior to the date of the Montana Supreme Court order as provided in [section 16].

Section 16 of the Bill provides that:

- (1) The Montana Supreme Court shall within 10 days of the filing of the petition by the attorney general issue an order to file a statement of a claim of an existing water right in substantially the following form:

"WATER RIGHTS ORDER

FAILURE TO FILE A CLAIM AS REQUIRED BY LAW WILL RESULT IN A CONCLUSIVE PRESUMPTION THAT THE WATER RIGHT OR CLAIMED WATER RIGHT HAS BEEN ABANDONED. . . . This order is notice of commencement of procedures for the general adjudication of existing rights to the use of water and of the requirement to file a claim for certain existing rights to the use of water. Every person, including but not limited to an individual, partnership, association, public or private corporation, city or other municipality, county, state agency of the State of Montana, and federal agency of the United States of America on its own behalf or as trustee for any Indian or Indian tribe, asserting a claim to an existing right to the use of water arising prior to July 1, 1973, is ordered to file a statement of claim to that right with the department no later than June 30, 1983. . . ."

- [3] The above-cited sections reflect both the policy and the essential mechanism for adjudication of state water rights. Adjudication by adversary proceeding initiated by one claimant against all others in his drainage has been for-

saken in favor of blanket adjudication of all claims, including federal and federal trust claims, in a systematic manner. The procedure outlined in the Bill is that of: (1) filing of an order by the Supreme Court requiring the filing by all claimants of statements of each claim; (2) upon filing of all claims, submission of the claims to the water judge in the division or district in which the claimed water is diverted; (3) through utilization of special masters, the rendering, by the water judge, on the basis of the filed claims, of a preliminary decree of water right; (4) after passage of time without objection to the preliminary decree, entry of a final decree of water right which is binding upon all parties; (5) if objection is timely taken by the claimant to the preliminary decree, judicial determination of the right, but without the necessity of joining all users in the claimant's drainage.

And the Court concludes:

As the general adjudication has been initiated by recent order of the Montana Supreme Court, it would seem that the greater wisdom lies in following Colorado River, and on the basis of wise judicial administration, deferring to the comprehensive state proceedings. The federal proceedings are all in their infancy; service of process has been but recently completed. The state adjudication is thorough, as opposed to the piecemeal proceedings initiated by the Government. There is no jurisdictional question preliminarily attending the state adjudication; all such questions have been eliminated by the McCarran Amendment. The state forum will likely be more convenient, geographically, than the federal forum.

The original hearing before the 9th Circuit carried the minority opinion of Circuit Judge Merrill. His statements are significant as bearing on the need and practicality of the Montana Water Courts operation:

I agree with the district court. Water adjudication is essentially a local concern, and in every western state water scarcity poses a problem not just to Indians but to everyone. In

my view, it is highly important that each state be accorded room for an effort to solve its water scarcity problem in the manner it regards as most appropriate. Here so long as Montana gives recognition to Indian water rights and their establishment pursuant to federal law, I see no good reason why Indians shouldn't be joined with other water users in the state in order to achieve a comprehensive state adjudication.

Finally, the federal law on the Montana Water Courts, as spoken by the Supreme Court of the United States, through Justice Brennan for the Majority:

In light of this history, the parties in this case have engaged in a vigorous debate as to the exact meaning and significance of the Arizona and Montana Enabling Acts. We need not resolve that debate, however, nor need we resort to the more general doctrines that have developed to chart the limits of state authority over Indians, because we are convinced that, whatever limitation the Enabling Acts or federal policy may have originally placed on state court jurisdiction over Indian water rights, those limitations were removed by the McCarran Amendment.

And on specific problems of Indian rights and federal reservations vis-a-vis Montana State program by adjudication, the Justice continued:

But the most important consideration in Colorado River, and the most important consideration in any federal water suit concurrent to a comprehensive state proceeding, must be the "policy underlying the McCarran Amendment," 424 U.S., at 820; see Moses H. Cone Hospital, supra, at _____, and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from the application of that policy or from the general principles set out in Colorado River.

Even more important is Justice Brennan's clear approval of what the Montana Water Courts can do:

. . . assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings.

We here at the Montana Water Courts know the Justice is not retreating from general principles of Indian rights, and federal reservations. In these words he makes the understanding clear:

Nothing we say today should be understood to represent even the slightest retreat from the general proposition we expressed so recently in New Mexico v. Mescalero Apache Tribe, ante, at _____, (1983): "Because of their sovereign status, [Indian] tribes and their reservation lands are insulated in some respects by an 'historic immunity from state and local control,' Mescalero Apache Tribe v. Jones, 411 U.S. 145, 152 (1973), and tribes retain any aspect of their historical sovereignty not 'inconsistent with the overriding interests of the National Government.' Washington v. Confederated Tribes, [447 U.S. 134, 153 (1980)]." Nor should we be understood to retreat from the general proposition, expressed in Colorado River, that federal courts have a "virtually unflagging obligation. . . to exercise the jurisdiction given them." 424 U.S., at 817. See generally Moses H. Cone Hospital, supra, at _____. But water rights adjudication is a virtually unique type of proceeding, and the McCarran Amendment is a virtually unique federal statute, and we cannot in this contract be guided by general propositions.

Further:

We also emphasize, as we did in Colorado River that our decision in no way changes the substantive law by which Indian rights in state water adjudication must be judged. State courts, as much as federal courts, have a solemn obligation to follow federal law. Moreover, any state court decision alleged to abridge Indian water rights protected by federal law can expect to receive, if brought for review before this Court, a particularized and exacting scrutiny commensurate with the powerful federal interest in safeguarding those rights from state encroachment.

The Act creating the Water Courts and its jurisdiction and its operation meets the caveats of Justice Brennan's opinion. This is evident in the careful adjustment of the general adjudication process to special problems of Indian and federal reserved rights.

85-2-701. Legislative intent. Because the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the general adjudication of existing water rights under the Montana Water Use Act. Therefore, it is the intent of the legislature that the attorney general's petition required in 85-2-211 include all claimants of reserved Indian water rights as necessary and indispensable parties under authority granted the state by 43 USC 666. However, it is further intended that the state of Montana proceed under the provisions of this part in an effort to conclude compacts for the equitable division and apportionment of waters between the state and its people and the several Indian tribes claiming reserved water rights within the state.

85-2-702. Negotiation with Indian tribes. (1) The reserved water rights compact commission, created by 2-15-212, may negotiate with the Indian tribes or their authorized representatives jointly or severally to conclude compacts under 85-2-701. Compact proceedings shall be commenced by the commission. The commission shall serve by

certified mail directed to the governing body of each tribe a written request for the initiation of negotiations of an authorized representative of the tribe to conduct compact negotiations. Upon receipt of such written designation from the governing body of a tribe, compact negotiations shall be considered to have commenced.

(2) When the compact commission and the Indian tribes or their authorized representatives have agreed to a compact, they shall sign a copy and file an original copy with the department of state of the United States of America and copies with the secretary of the state of Montana and with the governing body for the tribe involved. The compact is effective and binding upon all parties upon ratification by the legislature of Montana, any affected tribal governing body, and the congress of the United States.

(3) Upon its approval by the Montana legislature and the tribe or federal agency, the terms of a compact must be included in the preliminary decree as provided by 85-2-231. However, if approval of the state legislature and tribe or federal agency has not been accomplished by July 1, 1985, all federal and Indian claims for reserved water rights that have not been resolved by a compact must be filed with the department within 60 days. These new filings shall be used in the formulation of the preliminary decree and shall be given treatment similar to that given to all other filings.

85-2-703. Negotiation with federal government. The compact commission may also enter into separate negotiations with the federal government for the conclusion of compacts concerning the equitable division and apportionment of water between the state and its people and the federal government claiming non-Indian reserved waters within the state. The terms and conditions of such negotiations shall be the same as provided in this section for negotiations with Indian tribes.

85-2-704. Termination of negotiations. The commission or any other party to the negotiations may terminate negotiations by providing notice to all parties 30 days in advance of the termination date. On the termination date, the suspension of the application of part 2 provided for in 85-2-217 shall also terminate. The tribe or federal agency shall file all of the claims for reserved rights within 60 days of the termination of negotiations.

A strict construction of the language used in 85-2-231(d) which states, "The preliminary decree shall be issued within 90 days after the close of the special filing period.", read together with 85-2-270(3), which says that the reserved rights not resolved by an approved compact "must be filed" and "shall be used in the formulation of a preliminary decree" indicates that either approved compacts or filed claims are technically necessary to issue a preliminary decree. However, this strict construction of the legislation could frustrate the clear legislative purpose underlying SB76, which is to "expedite and facilitate" the general adjudication of water rights, by slowing the adjudication process.

The Legislature has authorized the use of an interlocutory decree or "other temporary decrees" prior to the issuance of a preliminary decree when it is needed for "the orderly administration of water rights," 85-2-231. The inclusion of this procedure supports the argument that a preliminary decree should not be issued lacking an approved compact or filed reserved right claims. On the other hand, it also supports the argument that the Court should proceed expeditiously to adjudicate basins even though the extent and quantity of federal reserved right claims is undetermined and unknown.

After close study of the language pertaining to preliminary decrees in the Water Use Act, we should conclude that 85-2-231 technically requires inclusion of approved compacts or filed claims for reserved rights. But as a practical matter it is insignificant whether the decree is called a preliminary or a

temporary decree if they both do the same thing. Furthermore, if both decrees have the same legal effect, the use of the normal procedure, which involves issuance of a preliminary decree, makes sense because it is consistent with the general adjudication procedures established by the Legislature and the Water Courts, and, therefore best serves the orderly administration of water rights.

All pertinent case law in talking of state adjudication programs speak of a "state-wide unified adjudication" of water.

As stated, our Federal District Court of Montana, (Chief Judge James F. Battin and Judge Paul G. Hatfield), have characterized Montana's adjudication of water with these words:

"It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient."

And the 9th Circuit granted a stay of Federal actions as preferable to dismissal. The Court clearly states:

"Moreover the question of adequacy of the State proceedings is one best decided by the State Courts in the first instance."

Further, the McCarran Amendment as interpreted in Colorado River allows and encourages a comprehensive water adjudication to quantify Indian water rights.

And Justice Brennan said:

"... and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from

the application of that policy or from the general principles set out in Colorado River. In the cases before us, assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings."

What of our general adjudication of Montana water? Is it comprehensive? Is it effective? Clearly SB76 (C. 697) is comprehensive. Its mandate from the Legislature is to adjudicate all the water resources. It seeks and will quantify all of Montana's water. The water of individuals, municipal corporations, other corporate entitles, Indian water rights, and other Federal reserved rights in Montana - all of this to the end that statewide we will have certainty as to our water - where it is, who owns it, what it is used for, how long it is used, the source. In fact, the caption item of the water right issued by the Water Courts best shows its comprehensive character of over 200,000 individual and corporate water claims and unnumbered Indian rights and Federal reserved rights. Here is a caption of the water right issued:

CERTIFICATE OF WATER RIGHT NO. W-1005050-00

OWNER:

PRIORITY DATE:

FLOW RATE:

VOLUME:

SOURCE:

PURPOSE:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

PLACE OF USE:

GENERAL REMARKS:

Comprehensive is the key description of the Water Courts plan.

Long before actual gathering of the thousands of water claims, the Court with the help of the Department of Natural Resources and Conservation prepared an Atlas of Water Resources by Hydrologic Basins. This inventory of surface water resources consists of drainage basin maps showing location and relation to each other.

From the three major Continental Basins, a division was made within the State of six major drainage basins based on the streams which flow out of the State and do not reenter: the Kootenai, Clark Fork of the Columbia, St. Mary, Missouri, Yellowstone and Little Missouri. The Belle Fourche drainage of the Cheyenne River in South Dakota extends into a small area of the southeast corner of Montana.

Then the six major drainage basins were divided into 15 sub-major drainage basins consisting of the Upper Clark Fork, Lower Clark Fork; Flathead and Kootenai River Basins in the Columbia River drainage; the Upper Missouri tributaries; Missouri-Smith, Missouri-Sun-Marias; Missouri-Musselshell; Milk; and Missouri-Fork Peck Basins in the Missouri River drainage; the Upper Yellowstone; Middle Yellowstone; and Lower Yellowstone

River Basins in the Yellowstone drainage; the St. Mary River Basin in the Hudson Bay drainage; and the Little Missouri River Basin.

Then again the 15 sub-major basins were divided into 85 minor drainage basins representing the minor tributaries within the State. On a statewide plan of 85 basins, the Court began its statewide adjudication. All of these are based on the work of the Office of Water Data Coordination; U.S. Department of the Interior; Geological Survey Atlas of stream gaging stations. Slight modifications clearly do not significantly change any of the OWDC basins.

The Atlas includes twelve maps showing the 15 sub-major drainage basins with two of these maps showing more than one of the drainage basins on one map page. The maps show culture in black, power lines in grey, and streams and stream names in blue. The major, sub-major, and minor drainage basin boundary lines are shown in three significant widths of red lines. Existing and proposed flood control projects are located by red stars with open stars representing potential projects while closed stars designate existing projects. Blue triangle represent U.S.G.S. stream discharge gaging stations with righted triangles representing stations active as of January 1, 1970, and inverted triangles representing those stations, used in the past, but now discontinued. Green areas on the maps represent presently irrigated land according to the county-wide surveys being conducted by the water resources survey division, Montana Water Resources Board.

The last two maps in the Atlas are prepared by the Montana Water Resources Board staff from information supplied by cooperating agencies.

The first is one prepared through a joint effort of the Water Board and the Montana Fish and Game Department. Shown in green are the fishing access sites, state parks and monuments, and state recreation areas maintained by the Fish and Game Department throughout the State. An index to this map provides the proper names of each of these sites as of January 1, 1970.

The last map in the Atlas shows mountain precipitation by colored isohyet lines representing increments of annual precipitation above 20 inches. This map was prepared in cooperation with the Soil Conservation Service and the National Weather Service.

This detailed information should make clear the detailed planning of our comprehensive, statewide program.

The unification of our statewide plan of state court adjudication of water rights is evident in our approach toward Indian water rights and Federal reserved rights.

The Compact Commission is organized; is working; is talking with the Indian tribes concerning compacts on their water. The Compact Commission is attempting to secure talks with the Forest Service.

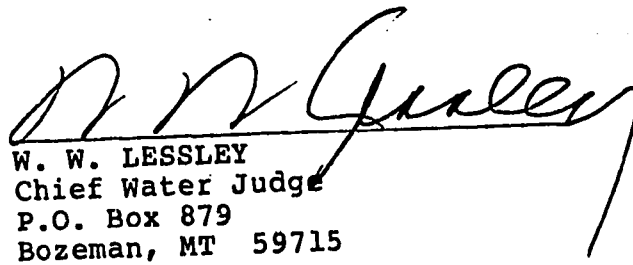
All of this procedure is considered by the Water Courts because in the words of the law, "... the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the

general adjudication of existing water rights. . ."

And so the Water Courts Rule of Court Number 10 and its findings of fact on compacts and federal reservations meet the requirement for unified proceedings. And in some extreme cases to meet what the words of the statute call "the orderly administration of water rights prior to the issuance of a preliminary decree" the Water Court can use an "interlocutory" or "temporary" decree.

In any event, the statewide unified adjudication of water goes on.

DATED this 14th day of December, 1984.


W. W. LESSLEY
Chief Water Judge
P.O. Box 879
Bozeman, MT 59715

BASIN **43BV**

NOTICE OF ENTRY OF
Temporary
PRELIMINARY DECREE AND
NOTICE OF AVAILABILITY

IN THE WATER COURTS OF THE STATE OF MONTANA
YELLOWSTONE DIVISION - SWEET GRASS CREEK BASIN (43BV)

NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND
NOTICE OF AVAILABILITY

Since you have filed a claim for a water right existing before July 1, 1973, we are sending with this Notice your abstract of your claim entered on the Sweet Grass Creek Basin.

However, if you received a certificate or applied for a "water use permit to appropriate" or reserve water under the 1973 Water Use Act do not expect to receive an abstract of that document.

This Notice is being sent to others as required in 85-2-232 MCA.

WHAT IS A TEMPORARY PRELIMINARY DECREE

A Temporary Preliminary Decree decides the water rights in the Sweet Grass Creek Basin and lists those water rights.

If you don't agree with what it decides as to your right or any other water right which may affect your water right claims, you may file an objection, request a hearing and the Water Courts will hear it. See the general Findings of Fact and Conclusions of Law for further explanation of your right.

A water right in the Temporary Preliminary Decree remains unchanged and will be so entered in the Final Decree if it is not objected to during the objection period. However, if determinations of Indian and Federal reserved water rights present circumstances affecting that water right, additional objections may be filed.

IF A RIGHT IS NOT OBJECTED TO, IT SHALL REMAIN UNCHANGED AND BE ENTERED IN THE FINAL DECREE.

HOW YOU FILE AN OBJECTION AND REQUEST A HEARING

An objection must be filed on the forms provided by the Water Courts. The offices where these forms can be found are listed on page 2 of this Notice.

All objections must be filed and received by the 26th day of March, 1985. Objections must be sent to the Montana State Water Courts, P.O. Box 879, Bozeman, MT 59715.

CAN YOU GET AN EXTENSION?

Extension for filing objections may be granted by the Water Judge. Requests must be received by the Water Courts on or before the 26th day of March, 1985. Use the form furnished by the Water Courts.

If an extension is granted, it applies to all within this Basin. A copy of the extension may be seen at the Clerk of Court offices listed below and it will be advertised in local newspapers.

WHERE YOU CAN SEE OR GET THE TEMPORARY PRELIMINARY DECREE (OR FINDINGS OF FACT AND CONCLUSIONS OF LAW) FOR THE SWEET GRASS CREEK BASIN

(Over Please)

See it at:

1. Water Courts Office, P.O. Box 879, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources Field Office, 1537 Avenue D, Suite 121, Billings, MT 59101
4. Clerk of the Court, Park County, Livingston, MT 59047
5. Clerk and Recorder, Park County, Livingston, MT 59047
6. Clerk of the Court, Stillwater County, Columbus, MT 59019
7. Clerk and Recorder, Stillwater County, Columbus, MT 59019
8. Clerk of the Court, Sweet Grass County, Big Timber, MT 59011
9. Clerk and Recorder, Sweet Grass County, Big Timber, MT 59011

Microfilm of the existing water rights claimed and the abstract as reviewed by DNRC at:

1. Water Courts Office, P.O. Box 879, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources, Field Office, 1537 Avenue D, Suite 121, Billings, MT 59101
4. Clerk of the Court, Sweet Grass County, Big Timber, MT 59011

You can buy a copy of the Temporary Preliminary Decree at the Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620.

Any questions? Call the Water Courts Office at (406) 586-4364.

AFTER OBJECTIONS ARE FILED

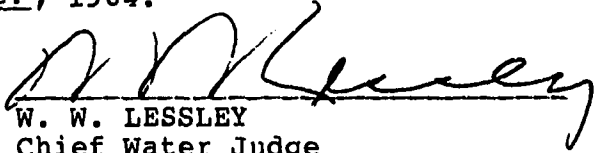
After the time for filing objections has passed, the Water Courts will notify each party named in the Decree that hearings have been requested and set a date for all interested parties to notify the Water Courts of their intent to participate in any of those hearings.

THE WATER COURT RULES AND FORMS CAN BE FOUND AT THE OFFICES LISTED BELOW:

1. Water Courts Office, P.O. Box 879, Bozeman, MT 59715
2. Clerk of the Court, Park County, Livingston, MT 59047
3. Clerk of the Court, Stillwater County, Columbus, MT 59019
4. Clerk of the Court, Sweet Grass County, Big Timber, MT 59011
5. Clerk of the Court, Sanders County, MT 59873

***COME AND MEET WITH THE WATER COURTS. WE'LL EXPLAIN IN SIMPLE LANGUAGE. MEET US AT THE SWEET GRASS COUNTY COURTROOM IN BIG TIMBER, MONTANA ON FEBRUARY 6, 1985 AT 10:00 A.M.

DATED this 19th day of Dec., 1984.

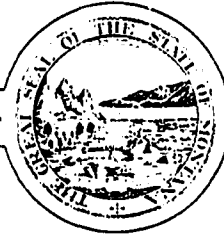

W. W. LESSLEY
Chief Water Judge
Montana State Water Courts
P.O. Box 879
Bozeman, MT 59715

BASIN 43BV

Temporary Preliminary
**CERTIFICATE
OF MAILING**

Dec. 20, 1984

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH FWING

STATE OF MONTANA

(406) 444-6601 ADMINISTRATOR
(406) 444-6646 ENGINEERING BUREAU
(406) 444-6668 WATER DEVELOPMENT BUREAU
(406) 444-6601 WATER MANAGEMENT BUREAU
(406) 444-6610 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

December 20, 1984

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the certificate of mailing for the Temporary Preliminary Decree for Sweet Grass Creek Basin (Basin 43BV). This mailing was conducted December 19, 1984.

Sincerely,

Jim

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

SWEET GRASS CREEK BASIN (Basin 43BV)

CERTIFICATE OF MAILING

The Notice of Entry of Temporary
Preliminary Decree and Notice of Availability
for the Sweet Grass Creek Basin (Basin 43BV)

* * * * *

State of Montana)
County of Lewis and Clark) ss:

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that:

A. The Notice of Entry of Temporary Preliminary Decree, Notice of
Availability, and abstracts showing dispositions of each person filing a claim
for the Sweet Grass Creek Basin (Basin 43BV) has been placed in the United
States Mail, postage prepaid and addressed to each party as per the records of
the Water Rights Bureau, Department of Natural Resources and Conservation,
December 19, 1984.

B. The Notice of Entry of Temporary Preliminary Decree and Notice of
Availability for the Sweet Grass Creek Basin (Basin 43BV) has been placed in
the United States Mail, postage prepaid and addressed to each party as per the
records of the Water Rights Bureau, Department of Natural Resources and
Conservation, December 19, 1984 for; (1) all parties in the Sweet Grass Creek
issued permits for water use in that basin pursuant to 85-2-301, MCA, 1978, or
their successor in interest, if known; (2) all parties who have applied for
permits for use of water in the Sweet Grass Creek Basin pursuant to 85-2-301,
MCA, 1978; (3) all parties who have been granted a reservation in the Sweet
Grass Creek Basin pursuant to 85-2-316, MCA, 1978; (4) all parties in the

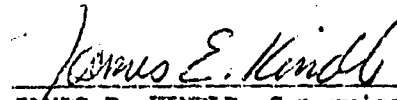
Sweet Grass Creek Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; (5) all federal land management agencies in the Yellowstone Water Division; (6) all Indian Tribes in the Yellowstone Water Division; (7) all neighboring states of the Yellowstone Water Division; (8) the County Clerk of Court and Clerk and Recorder of Sweetgrass, Park and Stillwater Counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

C. The Department of Natural Resources and Conservation sent to the Clerk of Court and Clerk and Recorder of Sweetgrass, Park and Stillwater Counties entire copies of the Temporary Preliminary Decree for the Sweet Grass Creek Basin and indexes thereto.

D. The Department of Natural Resources and Conservation sent to the Clerk of Court of Park County County (Livingston, MT) microfilm copies of prima facia claims and Department records for all claims submitted in the Sweet Grass Creek Basin.

This mailing and distribution was made under my direction and control on December 19, 1984.

Dated this 20th day of December 1984.


JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

State of Montana

: ss.

County of Lewis & Clark)

On this 20th day of December 1984, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

John P. Gilman

Notary Public for the State of Montana
Residing at Helena
My commission expires 1-21-1987

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
SIN 43BV

12/08/84

**** OWNER LIST ****

AGNEW	DIANA	D	
GIBSON RT BOX 724			
BIG TIMBER	MT		59011
AGNEW	THOMAS	G	
GIBSON RT BOX 724			
BIG TIMBER	MT		59011
ALLESTAD	ELAINE	K	
GIBSON RT BOX 756			
BIG TIMBER	MT		59011
ALLESTAD	LAWRENCE	A	
GIBSON RT BOX 756			
BIG TIMBER	MT		59011
ANDERSON	CARL	M	
BOX 236			
MELVILLE	MT		59055
ANDERSON	CHARLOTTE	VC	
MELVILLE RT BOX 163			
BIG TIMBER	MT		59011
ANDERSON	KERMIT	L	
BOX 236			
MELVILLE	MT		59055
ANDERSON	THORVALD	E	
MELVILLE RT BOX 163			
BIG TIMBER	MT		59011
BAINTER	DONALD	L	
GIBSON RT BOX 715			
BIG TIMBER	MT		59011
BAINTER & SONS INC			
GIBSON RT			
BIG TIMBER	MT		59011
BAUCH	FERD	M	
1130 W STOVER ST			
FREEPORT	IL		61032

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

12/08/84

**** OWNER LIST ****

BILLY CREEK RANCH INC MELVILLE RT BOX 163 BIG TIMBER	MT	59011
BOYD STAR RT BOX 88 OLGA	MICHAEL WA	W 98279
BRONKEN PO BOX 331 BIG TIMBER	JANET MT	L 59011
CARL BOX 331 BIG TIMBER	CECIL MT	J 59011
CARL BIG TIMBER	HILDA MT	59011
CARROCCIA BIG TIMBER	WILLIAM MT	J 59011
CAYUSE LIVESTOCK CO BOX B MELVILLE	MT	59055
CAYUSE LIVESTOCK CO BOX 13 MELVILLE	MT	59055
CLEVELAND, SR 1281 FULTON INDUSTRIAL ATLANTA	J BLVD NW GA	R 30336
CLEVELAND, SR 1281 FULTON INDUSTRIAL ATLANTA	J BLVD NW GA	R 30336
CONNOLLY GIBSON RT BOX 719 BIG TIMBER	GERALD MT	59011

per microfilm

12/08/84

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

**** OWNER LIST ****

COSGRIFF BOX 221 MELVILLE BIG TIMBER	BARBARA RT MT	W 59011
COSGRIFF BOX 221 MELVILLE BIG TIMBER	RALPH RT MT	E 59011
CREMER BOX C MELVILLE	GEORGE MT	L 59055
CREMER MELVILLE	HELEN MT	59055
CREMER MELVILLE	LEO MT	59055
CREMER MELVILLE	LEO (MRS) MT	59055
CREMER RANCH MELVILLE	MT	59055
CREMER RODEO LAND & LIVESTOCK CO MELVILLE	MT	59055
CREMER RODEO LAND & LIVESTOCK CO MELVILLE	MT	59055
CREMER, BERTHA ENTERPRISES MELVILLE	MT	59055
CREMER, BERTHA ESTATE OF MELVILLE	MT	59055

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

12/08/84

**** OWNER LIST ****

CREMER, JR	LEO	J	
BOX C			
MELVILLE		MT	59055
CREMER, JR	LEO (MRS)	J	
BOX C			
MELVILLE		MT	59055
CREMER, K B CORP			
MELVILLE		MT	59055
DE COCK	JOSEPH	J	
MELVILLE		MT	59055
DIVIDE RANCH INC			
1/2 PAM STARR REIN			
MELVILLE		MT	59055
DRIVDAHL	DAVID	D	
131 MELVILLE RT			
BIG TIMBER		MT	59011
DRIVDAHL	MARCELLA	A	
131 MELVILLE RT			
BIG TIMBER		MT	59011
EPPENS	ALTA	M	
BOX 731 GIBSON RT			
BIG TIMBER		MT	59011
EPPENS	OLIVER	F	
BOX 731 GIBSON RT			
BIG TIMBER		MT	59011
FAVINGER	JAMES	F	
BOX 228			
BIG TIMBER		MT	59011
FORSYTHE	LOUISE	M	
BOX 473			
BIG TIMBER		MT	59011

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

12/08/84

**** OWNER LIST ****

FRASER	WILLIAM	S	
GREY CLIFF		MT	59033
GIBSON	CAROLYN	S	
GIBSON RT		MT	59011
BIG TIMBER			
GIBSON	GRANT	E	
GIBSON RT		MT	59011
BIG TIMBER			
GLENNIE RANCHES INC			
TWO DOT		MT	59085
GREEN	CAROLYN	I	
BOX 266		MT	59055
MELVILLE			
GREEN	JOHN	A	
BOX 266		MT	59055
MELVILLE			
GREEN RANCH CO			
BOX 266		MT	59055
MELVILLE			
HANSON	HOWARD		
BOX 321		MT	59011
BIG TIMBER			
HARMS	LINDA	M	
GIBSON RT BOX 737		MT	59011
DIG TIMBER			
HARMS	PETER	C	
GIBSON RT BOX 737		MT	59011
BIG TIMBER			
HOAGLAND	WILLIAM	E	
RT 1 BOX 68		MT	59011
BROADVIEW			

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BAST 43BV

12/08/84

**** OWNER LIST ****

HOEM BOX 714 BIG TIMBER	RAYMOND MT	59011
HOLMAN BOX 169 MELVILLE RT BIG TIMBER	DENNIS MT	59011
HOPE BOX 255 MELVILLE	RUSSELL MT	W 59055
HOWARD LONE INDIAN RANCH BIG TIMBER	WILLIAM MT	D 59011
JABS BOX 203 MELVILLE	HARRY MT	M 59055
JONES LONE INDIAN RANCH BIG TIMBER	JESSIE MT	L 59011
JONES LONE INDIAN RANCH BIG TIMBER	LYLE MT	K 59011
LAFOND GIBSON RT BOX 758 BIG TIMBER	MERILEE MT	K 59011
LAFOND GIBSON RT BOX 758 BIG TIMBER	RUSSELL MT	L 59011
LAUBACH BOX 505 SPRINGDALE RT BIG TIMBER	DARREL MT	59011
LUNDSTROM BOX 1077 JANESVILLE	ALBERT WI	C 53545

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

12/08/84

**** OWNER LIST ****

MARTIN BOX 233 MELVILLE	JAMES	J	MT	59055	}
MARTIN PO BOX 233 MELVILLE	JAMES	J	MT	59055	
MCCAULEY GIBSON RT 709 BIG TIMBER	E HUNT		MT	59011	
MCCAULEY FARMS GIBSON RT 709 BIG TIMBER			MT	59011	
MESERVE MELVILLE RT X 168 BIG TIMBER	ALTA	L	MT	59011	
MESERVE MELVILLE RT BOX 168 BIG TIMBER	ARTHUR	J	MT	59011	
MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPT OF STATE LANDS CAPITOL STATION HELENA			MT	59620	
NORD 1832 N CACCADE AVE COLORADO SPRINGS	ELIZABETH	H	CO	80907	
NOREM C/O COTTONTAIL RANCHES BOX 166, MELVILLE RT BIG TIMBER	DONALD	S	MT	59011	
NOREM C/O COTTONTAIL RANCHES BOX 166, MELVILLE RT BIG TIMBER	KATHERINE	S	MT	59011	
NORMAN BOX 734 GIBSON RT BIG TIMBER	GERALDINE	N	MT	59011	

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

12/08/84

**** OWNER LIST ****

NORMAN	GUSTAV		
BOX 734 GIBSON RT			
BIG TIMBER	MT		59011
PEARCE	DONALD	R	
GIBSON RT BOX 719			
BIG TIMBER	MT		59011
PEARCE	RAYMOND	T	
GIBSON RT BOX 719			
BIG TIMBER	MT		59011
PEDERSON	MILLER		
BOX 720			
BIG TIMBER	MT		59011
PEDERSON LAND & LIVESTOCK INC			
BOX 720			
BIG TIMBER	MT		59011
PIPKIN	BETTY	J	
9218 VICTORIA AVE			
RIVERSIDE	CA		92503
PIPKIN	DERRALL		
9218 VICTORIA AVE			
RIVERSIDE	CA		92503
ROBINSON	BURTON	A	
BOX 202 GLASSTON RT			
MELVILLE	MT		59055
ROBINSON	MARJORIE	L	
BOX 202 GLASSTON RT			
MELVILLE	MT		59055
ROSTAD	PETER	L	
BOX 777			
BIG TIMBER	MT		59011
SCHEEL	DAVID		
PO BOX 185			
MELVILLE	MT		59055

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

12/08/84

**** OWNER LIST ****

SCHEEL PO BOX 185 MELVILLE	KATHLEEN MT	J 59055
SCHUMAN GIBSON RT BOX 728 BIG TIMBER	EMILY MT	59011
SCHUMAN GIBSON RT BOX 728 BIG TIMBER	PHILIP MT	59011
SORENSEN FORSYTH	LELAND MT	R 59327
SORENSEN GIBSON RT BOX 715 BIG TIMBER	LELAND MT	R 59011
STARR GLASSTON RT MELVILLE	NORMAN MT	K 59055
STREETER BOX 717 GIBSON RT BIG TIMBER	CLAIR MT	K 59011
STREETER RANCH INC BOX 717 GIBSON RT BIG TIMBER	MT	59011
SWEET GRASS CANAL & RESERVOIR CO % BOYD SIMSER GLASTON RT BIG TIMBER	MT	59011
SWEET GRASS LAND & LIVESTOCK CO MELVILLE RT BOX 171 BIG TIMBER	MT	59011
SWEET GRASS RANCH BIG TIMBER	MT	59011

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

12/08/84

**** OWNER LIST ****

TOBRINER STAR RT BOX 88 OLGA	FRANCES WA	B 98279
TRONRUD MELVILLE RT BIG TIMBER	GEORGE MT	E 59011
TRONRUD JR MELVILLE RT BIG TIMBER	MORRIS MT	59011
TRONRUD, VICTOR CO MELVILLE RT BIG TIMBER	MT	59011
US DEPT OF AGRICULTURE FOREST PO BOX 7669 MISSOULA	MT	SERVICE 59807
VERMILLION 3020 SHADY LN BILLINGS	CLINTON MT	D 59102
VERMILLION 3020 SHADY LN BILLINGS	MARGARET MT	W 59102
WEMPNER RT 2 FORD RD BILLINGS	JAMES MT	A 59101
WESTERVELT MELVILLE RT BOX 168 BIG TIMBER	NANCY MT	C 59011
WESTERVELT MELVILLE RT BOX 168 BIG TIMBER	ROYAL MT	A 59011
WILLSON PO BOX 1236 BIG TIMBER	BELINDA MT	L 59011

TEMPORARY PRELIMINARY DECREE ON SWEET GRASS CREEK
BASIN 43BV

12/08/84

**** OWNER LIST ****

WILLSON PO BOX 1236 BIG TIMBER	LAURENCE	C	MT	59011
WILSON GIBSON RT BOX 739 BIG TIMBER	ROBERT	H	MT	59011
WILSON GIBSON RT BOX 739 BIG TIMBER	SHIRLEY	S	MT	59011
WOLFE PO BOX 331 BIG TIMBER	JUDITH	R	MT	59011
YOST BIG TIMBER	JOHN	E	MT	59011

NOTICE TO INTERESTED PARTIES

Basin #43BV

All Federal Land Management Agencies in the Yellowstone Division

Area Director
U.S.D.A. Forest Service
Federal Building
Missoula, MT 59807

Director
Bureau of Land Management
P.O. Box 36800
Billings, MT 59107

Division Engineer
U.S. Army Corps of Engineers
P.O. Box 103
Downtown Station
Omaha, NE 68101

Regional Director
Bureau of Reclamation
316 North 26th
Room 3035
Billings, MT 59101

Soil Conservation Service
10 West Babcock
Room 443, Federal Building
Bozeman, MT 59715

All Neighboring States of the Yellowstone Division

Vernon Fahy
State Engineer
North Dakota Water Commission
900 East Boulevard
Bismarck, ND 58505

John Hatch
Chief Engineer
Division of Water Rights
Dept. of Natural Resources Div.
Foss Building
Pierre, SD 57501

George L. Christopoulos
State Engineer
State Office Building East
Cheyenne, WY 82002

All Indian Tribes in the Yellowstone Division

Mr. Wyman Babby, Superintendent
Crow Agency
Crow Agency, MT 59022

Mr. Ernest T. Moran, Superintendent
Northern Cheyenne Agency
Lame Deer, MT 59043

Mr. Donald Stewart, Chairman
Crow Tribal Council
Crow Agency, MT 59022

Mr. Allen Rowland, President
Northern Cheyenne Tribal Council
Lame Deer, MT 59043

L.W. Collier, Superintendent
Wind River Agency
Shoshone & Arapaho Tribes
Fort Washakie, WY 82514

Mr. Robert Harris, Sr., Chairman
Mr. Wayne Felter, Chairman
Fort Washakie, WY 82514

County Officials

Mrs. June Little
Clerk of the Court
Park County Courthouse
Livingston, MT 59047

Mrs. Marlene Johnson
Clerk of the Court
Stillwater County Courthouse
Columbus, MT 59019

Mrs. Patty Jo Henthorn
Clerk of the Court
Sweet Grass County Courthouse
Big Timber, MT 59011

Other Interested Parties

Field Office
Department of Natural Resources
1537 Ave. D - Suite 121
Billings, MT 59101

Pat Barry
Indian Resource Section
Land and Natural Resources
U.S. Dept. of Justice
10th and Pennsylvania Ave. NW
Washington, D.C. 20530

U.S. Attorney General
Dept. of Justice Building
Washington, D.C. 20530

Field Solicitor
Room 5931
Federal Building
Billings, MT 59103

G. Steven Brown
Attorney for Mt. Dept.
Fish, Wildlife & Parks
1313 11th Avenue
Helena, MT 59601

Ted Doney
Attorney at Law
314 N. Last Chance Gulch
Helena, MT 59601

Sherry Matteucci
Crowley Law Firm
P.O. Box 2529
Billings, MT 59103

Ms. Jan Jennings
Clerk and Recorder
Park County Courthouse
Livingston, MT 59047

Mrs. Lois R. VanEvery
Clerk and Recorder
Stillwater County Courthouse
Columbus, MT 59019

Mrs. Hazel D. Fallang
Clerk and Recorder
Sweet Grass County Courthouse
Big Timber, MT 59011

John C. Chaffin
Dept. of Interior
SOL/DER/6045
18th and C Streets NW
Washington, D.C. 20240

Regional Director
U.S. Fish and Wildlife Service
P.O. Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Attorney
Federal Building
Billings, MT 59101

Aaron Hostyk
U.S. Army Engineer District Omaha
Corps of Engineers
6014 U.S. Post Office & Courthouse
Omaha, NE 68102

Tom Luebben
Attorney
P.O. Box 25686
Albuquerque, NM 87125

HKM Associates
Ralph Saunders
P.O. Box 31318
Billings, MT 59107

Swanberg, Koby, Swanberg & Matteucci
Attorneys
P.O. Box 2567
Great Falls, MT 59403

Tom K. Hopgood
Loble & Pauley
Box 176
Helena, MT 59624

Vern House
Extension Economics
210 Linfield Hall, MSU
Bozeman, MT 59717

Lester Loble II
Attorney
P.O. Box 176
Helena, MT 59624

Michael Zimmerman
Montana Power Co.
40 East Broadway
Butte, MT 59701

Dr. S.L. Ponce
Nat'l Park Service
Federal Building, Room 343
301 S. Howes Str.
Fort Collins, CO 80521

Mike Whittington
National Park Service
301 S. Howes Street
Fort Collins, CO 80521

David C. Moon
Attorney
P.O. Box 1288
Bozeman, MT 59715

Josephson & Fredricks
Attorneys
P.O. Box 1047
Big Timber, MT 59011

Rich Munger
1007 North Wallace Warren
Helena, MT 59601

12/08/84 13/18
ANDERSON
ANDERSON
KRIEG
KRIEG
RODRIGUEZ

CARL
KERMAT
JOHN
JUNE
SILBERT

M L C R M

BOX 236
BOX 236
PO BOX 584
PO BOX 584
BOX 1792

PRELIMINARY DECREE - TRANSFERRED OWNERS TO BE NOTICED - BASIN 439V

MELVILLE
MELVILLE
BARRINGTON HILLS
BARRINGTON HILLS
KALISPELL

PAGE

1

MT
MT
IL
MT

BASIN *43BV*

**MISCELLANEOUS
CORRESPONDENCE,
WATER COURT**



MONTANA WATER COURTS
STATE OF MONTANA

RECEIVED

DEC 17 1984

MONTANA DEPT. OF NATURAL
RESOURCES & CONSERVATION

WATER JUDGES:

Upper Missouri River Basin
Chief Judge W. W. Lessley
P.O. Box 879
Bozeman, MT 59715

Lower Missouri River Basin
Judge Bernard W. Thomas
P.O. Box 938
Chinook, MT 59523

Clark Fork River Basin
Judge Robert M. Holter
Lincoln County Courthouse
Libby, MT 59923

Yellowstone River Basin
Judge Roy C. Rodeghiero
P.O. Box 448
Roundup, MT 59072

December 14, 1984

Jim Kindle
Records Section
Department of Natural Resources
32 South Ewing
Helena, MT 59620

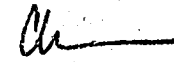
Re: Basin #43BV

Dear Jim:

Enclosed are the Orders appointing Kathryn
as the Master for this Basin and designating
DNR to mail the Notice of Availability.

If you have any questions, please give
us a call.

Sincerely,


Chris Jensen
Clerk

caj
encls.

"... to expedite and facilitate the adjudication of existing water rights."
CH. 697 L. 1979

"AN EQUAL OPPORTUNITY EMPLOYER"

IN THE WATER COURTS OF THE STATE OF MONTANA
YELLOWSTONE DIVISION
SWEET GRASS CREEK BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE SWEET GRASS)
CREEK DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF SWEET GRASS CREEK)
IN PARK, STILLWATER AND SWEET)
GRASS COUNTIES, MONTANA.)

O R D E R

DESIGNATING THE DNRC TO MAIL NOTICE OF
AVAILABILITY OF THE TEMPORARY PRELIMINARY DECREE

This Order complies with the requirements of 85-2-232 MCA
1978.

ORDERED that the Department of Natural Resources and
Conservation send by mail to each person and their successor in
interest, if known, who has filed a claim of existing right in
the Sweet Grass Creek Basin (43BV), a copy of the Notice of
Availability of the Temporary Preliminary Decree on that Basin
and an abstract of the disposition of such person's claim of
existing right.

ORDERED specifically that the Notice of Availability be
mailed to: (1) all parties in the Sweet Grass Creek Basin
issued permits for water use in that Basin pursuant to 85-2-301
MCA 1978 or their successor in interest, if known; (2) all
parties who have applied for permits for use of water in the
Sweet Grass Creek Basin pursuant to 85-2-301 MCA 1978; (3) all
parties who have been granted a reservation in the Sweet Grass
Creek Basin pursuant to 85-2-316 MCA 1978; (4) all parties in
the Sweet Grass Creek Basin who have received certificates of

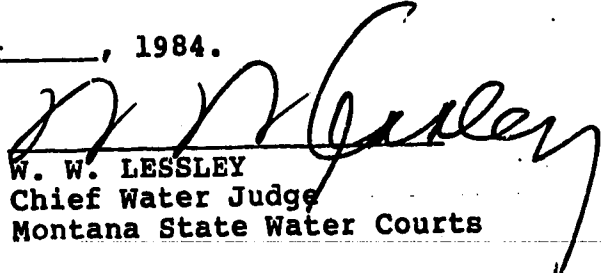
water rights pursuant to 85-2-306 MCA 1978 for wells under 100 gallons per minute; (5) all federal land management agencies in the Yellowstone Water Division; (6) all neighboring states of the Yellowstone Water Division; (7) all Indian tribes of the Yellowstone Water Division; (8) the County Clerk of Court and Clerk and Recorder of Park, Stillwater and Sweet Grass Counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

ORDERED that the Montana State Water Courts publish the Notice of Availability in newspapers of general circulation in the Sweet Grass Creek Basin, including the Billings Gazette, the Livingston Enterprise, the Big Timber Pioneer and the Columbus News, including any advertisement which may bring the Notice of Availability to the attention of the public.

ORDERED that the Department shall make a general certificate of mailing certifying that a copy of notice has been placed in the United States Mail, postage prepaid and addressed to each party required by this Order to be served notice of the Temporary Preliminary Decree.

FINALLY IT IS ORDERED that the original certificate of mailing be filed with the Montana State Water Courts.

DATED this 14th day of December, 1984.


W. W. LESSLEY
Chief Water Judge
Montana State Water Courts

IN THE WATER COURTS OF THE STATE OF MONTANA

IN RE THE MATTER OF)
THE APPOINTMENT OF A WATER)
MASTER OF THE WATER COURTS)
FOR THE YELLOWSTONE DIVISION)

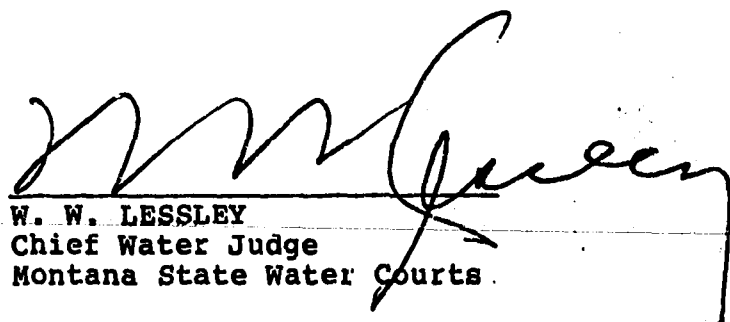
ORDER

The undersigned, as Chief Water Judge of the State of Montana, ORDERS that KATHRYN L.W. LAMBERT be, and she is, hereby appointed Water Master for the Yellowstone Division for the specific purpose of preparing a Water Master's Report for the Sweet Grass Creek Basin (Basin 43BV) to be submitted to me.

ORDERED that KATHRYN L.W. LAMBERT is appointed as the Water Master of the Yellowstone Division for the additional and specific purpose of hearing all matters on the Temporary Preliminary Decree and related subjects of the Sweet Grass Creek Basin.

ORDERED that this appointment takes effect as of the date of this Order.

DATED this 14th day of December, 1984.


W. W. LESSLEY
Chief Water Judge
Montana State Water Courts

BASIN 43BV

AMENDED CERTIFICATE

OF MAILING
Temporary
PRELIMINARY DECREE

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH FWING

STATE OF MONTANA

(406) 444-6601 ADMINISTRATOR
(406) 444-6646 ENGINEERING BUREAU
(406) 444-6668 WATER DEVELOPMENT BUREAU
(406) 444-6601 WATER MANAGEMENT BUREAU
(406) 444-6610 WATER RIGHTS BUREAU

HELENA, MONTANA 59601

July 2, 1985

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the amended certificate of mailing for the Temporary Preliminary Decree for Sweet Grass Creek Basin (Basin 43BV). This mailing was conducted between 12-19-84 and 7-2-85.

Sincerely,

Jim

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

AMENDED CERTIFICATE OF MAILING

Notice of Entry and Notice of Availability
of the Temporary Preliminary Decree for the Sweet Grass Creek Basin
(Basin 43BV)

State of Montana)
County of Lewis and Clark) ss:

I. JAMES E. KINDLE, Records Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation of the State of Montana, hereby certify that all return mail for the Notice of Entry and Notice of Availability of the Temporary Preliminary Decree for the Sweet Grass Creek Basin (Basin 43BV) has been researched by the water rights field offices and that based on their research the following has been sent, postage prepaid, first class, United States Mail:

A. For persons filing claims;

1. owner address changes only. Based on research. all parties have been sent the Notice of Entry and Notice of Availability of the Temporary Preliminary Decree. When address changes were confirmed by the claimants to the Department, abstracts showing dispositions of each party's filings have also been sent;

2. transferred owners. Based on research, all apparent successors in interest for water rights concerning return mail have been sent the Notice of Entry and Notice of Availability of the Temporary Preliminary Decree and Water Right Transfer Certificate forms.

B. For post July 1, 1973 water rights;

1. all parties in the Sweet Grass Creek issued permits for water use in that Basin pursuant to 85-2-301, MCA, 1978, or their successor in interest;

2. all parties who have applied for permits for the use of water in the Sweet Grass Creek Basin pursuant to 85-2-301, MCA, 1978;

3. all parties who have been granted a reservation in the Sweet Grass Creek Basin pursuant to 85-2-316, MCA, 1978;

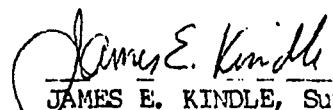
4. all parties in the Sweet Grass Creek Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; the following has been sent:

a. owner address changes only. Based on research, all parties have been sent the Notice of Entry and Notice of Availability of the Temporary Preliminary Decree;

b. transferred owners. Based on research, all apparent successor in interest for water rights concerning return mail have been sent the Notice of Entry and Notice of Availability of the Temporary Preliminary Decree and Water Right Transfer Certificate forms. This mailing and distribution was made under my direction and control from 12-19-84 to 7-2-85.

Original documents concerning return mail, envelopes, research, correspondence, field office confirmation and field office certification of mailing can be found in original files and microfilm files.

Dated this 2nd day of JULY 1985 .


JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

attachment

Log of noticed water right owners in the basin

State of Montana)
: ss.
County of Lewis & Clark)

On this 2nd day of July 1998, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

John P. Gilman
Notary Public for the State of Montana
Residing at Helena
My commission expires 7-2-1997

PAGE

GIESON RT BOX 724
BOX 724 GIBSON RT
GIBSON RT BOX 724
GIBSON RT BOX 756
BOX 236
MELVILLE RT BOX 163
BOX 236
MELVILLE RT BOX 163
GIBSON RT BOX 715
GIBSON RT
1130 W STOVER ST
MELVILLE RT BOX 163
STAR RT BOX 88
PO BOX 331
BOX 331

(C) BOX B
BOX 13
BOX 13
1281 FULTON INDUSTRIAL BLVD NW (E)
GIBSON RT BOX 719
BOX 221 MELVILLE RT
BOX C

(C) BOX C
BOX C
% PAM STARR REIN
131 MELVILLE RT
131 MELVILLE RT
BOX 731 GIBSON RT & demand @ per Trans.
ITP
BOX 228
RT 1 BOX 41
BOX 473

GIBSON RT
GIBSON RT

BOX 266
BOX 266
BOX 266
BOX 321
GIBSON RT BOX 737
GIBSON RT BOX 737

BOX C
BOX C
% PAM STARR REIN
131 MELVILLE RT
131 MELVILLE RT
BOX 731 GIBSON RT & demand @ per Trans.
ITP
BOX 228
RT 1 BOX 41
BOX 473

GIBSON RT
GIBSON RT

BOX 266
BOX 266
BOX 266
BOX 321
GIBSON RT BOX 737
GIBSON RT BOX 737

[illegible]

12/08/84 13/15

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 438V

PAGE

[illegible]

RT 1 BOX 68

BOX 714
BOX 169 MELVILLE RT
BOX 255
LONE INDIAN RANCH
BOX 203
LONE INDIAN RANCH
LONE INDIAN RANCH
GIBSON RT BOX 758
GIBSON ROUTE
BOX 505 SPRINGDALE RT
BOX 1077
BOX 233
PO BOX 233
GIBSON RT 709
GIBSON RT 709
MELVILLE RT BOX 168
DEPT OF STATE LANDS
CAPITOL STATION
DEPT OF STATE LANDS
1832 N CASCADE AVE
C/O COTTONTAIL RANCHE
C/O COTTONTAIL RANCHE
BOX 734 GIBSON RT
BOX 734 GIBSON RT
PO BOX 274
GIBSON RT BOX 719
GIBSON RT BOX 719
BOX 720 GIBSON ROUTE
BOX 720
BOX 720 GIBSON ROUTE
BOX 720
BOX 720 GIBSON ROUTE
9218 VICTORIA AVE
9218 VICTORIA AVE
BOX 202 GLASSSTON RT
BOX 202 GLASSSTON RT
BOX 1792
BOX 777
PO BOX 185
PO BOX 185
GIBSON RT BOX 728
BOX 727 GIBSON RT
BOX 728
GIBSON RT BOX 728

GIBSON RT BOX 715

GLASSSTON RT
BOX 717 GIBSON RT
BOX 717 GIBSON RT
BOX 717 GIBSON RT
BOYD SIMSER
MELVILLE RT BOX 171

STAR RT BOX 88
MELVILLE RT

CAPITOL STATION
CAPITOL STATION
the Fort McClader. Rt. 36-205
BOX 165, MELVILLE RT
BOX 166, MELVILLE RT
Arlando, NT 59711 (cont.)

BROADVIEW
GREY CLIFF
BIG TIMBER
MELVILLE
BIG TIMBER
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
JANESVILLE
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
HELENA
HELENA
COLORADO SPRINGS
BIG TIMBER
BIG TIMBER
BIG TIMBER
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
RIVERSIDE
MELVILLE
MELVILLE
KALISPELL
BIG TIMBER
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
FORSYTH
BIG TIMBER
BIG TIMBER
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
OLGA
BIG TIMBER

2

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PAGE

[illegible]

3
M T M T M T M T M T M T M T M T M T

BASIN 43BV

**CERTIFICATE
OF MAILING**



MONTANA WATER COURTS
STATE OF MONTANA

July 9, 1985

RECEIVED

JUL 10 1985

MONTANA DEPT. OF NATURAL
RESOURCES & CONSERVATION

WATER JUDGES:

Upper Missouri River Basin
Chief Judge W. W. Lessley
P.O. Box 878
Bozeman, MT 59715

Lower Missouri River Basin
Judge Bernard W. Thomas
P.O. Box 838
Chinook, MT 59523

Clerk Fork River Basin
Judge Robert M. Holter
Lincoln County Courthouse
Libby, MT 59923

Yellowstone River Basin
Judge Roy C. Rodeghiero
P.O. Box 448
Roundup, MT 59072

Jim Kindle
Records Section
Department of Natural Resources
32 South Ewing
Helena, MT 59620

Re: Basin #43BV

Dear Jim:

Enclosed is a copy of the Order signed
by Judge Lessley designating you to mail the
Notice of Objection.

Please call Kathryn Lambert if you have
any questions. She is the Master for this
Basin.

Thank you.

Sincerely,

Chris Jensen
Clerk

caj
encl.

BASIN

43BV

**NOTICE OF OBJECTION
AND REQUEST FOR
PRELIMINARY HEARING**

FILMED

JUL 30 1985

BY _____

IN THE WATER COURTS OF THE STATE OF MONTANA
YELLOWSTONE DIVISION - SWEET GRASS CREEK BASIN

IN THE MATTER OF THE ADJUDICATION)
OF THE EXISTING RIGHTS TO THE USE)
OF ALL THE WATER, BOTH SURFACE AND)
UNDERGROUND, WITHIN THE SWEET GRASS)
CREEK DRAINAGE AREA, INCLUDING ALL)
TRIBUTARIES OF SWEET GRASS CREEK IN)
PARK, STILLWATER AND SWEET GRASS)
COUNTIES, MONTANA.)

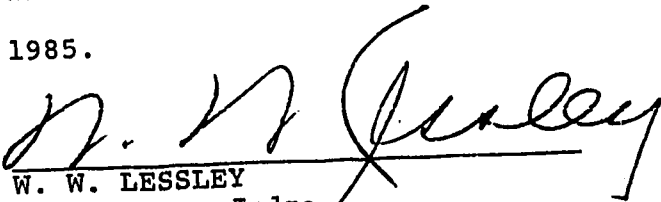
ORDER
DESIGNATING THE DNRC TO MAIL NOTICES OF OBJECTION
AND REQUEST FOR PRELIMINARY HEARINGS

ORDERED that the Department of Natural Resources and Conservation send by mail to each person and their successor in interest, if known, who was named in the Temporary Preliminary Decree in the Sweet Grass Creek Basin (#43BV), a copy of the Notice That Objections Were Filed and Those Objectors Have Requested Preliminary Hearings.

ORDERED that the Department of Natural Resources and Conservation shall make a general certificate of mailing certifying that a copy of the Notice has been placed in the United States mail, postage prepaid, and addressed to each party to be served by this Order.

FINALLY, IT IS ORDERED that the original certificate of mailing be filed with the Montana State Water Courts.

DATED this 9th day of July, 1985.


W. W. LESSLEY
Chief Water Judge
Montana State Water Courts

DEPARTMENT OF LAND AND NATURAL RESOURCES
AND CONSERVATION
WATER RIGHTS DIVISION

July 15, 1985

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the certificate of mailing for the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary decree for Sweet Grass Creek Basin (Basin 43BV). This mailing was conducted July 15, 1985.

Sincerely,

Jim
Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/ja

SWEET GRASS CREEK BASIN (Basin 43BV)

CERTIFICATE OF MAILING

The Notice of Objection and Request for Preliminary Hearing
on the Sweet Grass Creek Basin Temporary Preliminary Decree (Basin 43BV)

State of Montana)
County of Lewis and Clark) SS:

I, JAMES E. KINDLE, Records Supervisor for the Water Resources
Division of the Department of Natural Resources and Conservation of the State
of Montana, hereby certify that:


A. The Notice of Objection and Request for Preliminary Hearing for
each person filing a claim for the Sweet Grass Creek Basin (Basin 43BV) has
been placed in the United States Mail, postage prepaid and addressed to each
party as per the records of the Water Rights Bureau, Department of Natural
Resources and Conservation, July 15, 1985, and updated records of December 19,
1984.

B. The Notice of Objection and Request for Preliminary Hearing for
the Sweet Grass Creek Basin (Basin 43BV) has been placed in the United States
Mail, postage prepaid and addressed to each party as per the records of the
Water Rights Bureau, Department of Natural Resources and Conservation, July 15,
1985, and updated records of December 19, 1984, for; (1) all parties in the
Sweet Grass Creek Basin issued permits for water use in that basin pursuant to
85-2-301, MCA, 1978, or their successor in interest, if known; (2) all parties
who have applied for permits for use of water in the Sweet Grass Creek Basin
pursuant to 85-2-301, MCA, 1978; (3) all parties who have been granted a
reservation in the Sweet Grass Creek Basin pursuant to 85-2-316, MCA, 1978;

(4) all parties in the Sweet Grass Creek Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; (5) all federal land management agencies in the Yellowstone Water Division; (6) all Indian Tribes in the Yellowstone Water Division; (7) all neighboring states of the Yellowstone Water Division; (8) the County Clerk of Court and Clerk and Recorder of Park, Stillwater and Sweet Grass Counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

This mailing and distribution was made under my direction and control on July 15, 1985.

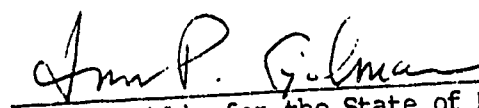
Dated this 15th day of JULY 1985.


JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana

State of Montana)
: ss.
County of Lewis & Clark)

On this 15th day of JULY 1985, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.


Notary Public for the State of Montana
Residing at Helena
My commission expires 1-21-1987

NOTICE TO INTERESTED PARTIES

Basin #43BV

All Federal Land Management Agencies in the Yellowstone Division

Area Director
U.S.D.A. Forest Service
Federal Building
Missoula, MT 59807

Director
Bureau of Land Management
P.O. Box 36800
Billings, MT 59107

Division Engineer
U.S. Army Corps of Engineers
P.O. Box 103
Downtown Station
Omaha, NE 68101

Regional Director
Bureau of Reclamation
316 North 26th
Room 3035
Billings, MT 59101

Soil Conservation Service
10 West Babcock
Room 443, Federal Building
Bozeman, MT 59715

All Neighboring States of the Yellowstone Division

Vernon Fahy
State Engineer
North Dakota Water Commission
900 East Boulevard
Bismarck, ND 58505

John Hatch
Chief Engineer
Division of Water Rights
Dept. of Natural Resources Div.
Foss Building
Pierre, SD 57501

George L. Christopoulos
State Engineer
State Office Building East
Cheyenne, WY 82002

All Indian Tribes in the Yellowstone Division

Mr. Wyman Babby, Superintendent
Crow Agency
Crow Agency, MT 59022

Mr. Ernest T. Moran, Superintendent
Northern Cheyenne Agency
Lame Deer, MT 59043

Mr. Donald Stewart, Chairman
Crow Tribal Council
Crow Agency, MT 59022

Mr. Allen Rowland, President
Northern Cheyenne Tribal Council
Lame Deer, MT 59043

L.W. Collier, Superintendent
Wind River Agency
Shoshone & Arapaho Tribes
Fort Washakie, WY 82514

Mr. Robert Harris, Sr., Chairman
Mr. Wayne Felter, Chairman
Fort Washakie, WY 82514

County Officials

Mrs. June Little
Clerk of the Court
Park County Courthouse
Livingston, MT 59047

Mrs. Marlene Johnson
Clerk of the Court
Stillwater County Courthouse
Columbus, MT 59019

Mrs. Patty Jo Henthorn
Clerk of the Court
Sweet Grass County Courthouse
Big Timber, MT 59011

Other Interested Parties

Field Office
Department of Natural Resources
1537 Ave. D - Suite 121
Billings, MT 59101

Pat Barry
Indian Resource Section
Land and Natural Resources
U.S. Dept. of Justice
10th and Pennsylvania Ave. NW
Washington, D.C. 20530

U.S. Attorney General
Dept. of Justice Building
Washington, D.C. 20530

Field Solicitor
Room 5931
Federal Building
Billings, MT 59103

G. Steven Brown
Attorney for Mt. Dept.
Fish, Wildlife & Parks
1313 11th Avenue
Helena, MT 59601

Ted Doney
Attorney at Law
314 N. Last Chance Gulch
Helena, MT 59601

Sherry Matteucci
Crowley Law Firm
P.O. Box 2529
Billings, MT 59103

Ms. Jan Jennings
Clerk and Recorder
Park County Courthouse
Livingston, MT 59047

Mrs. Lois R. VanEvery
Clerk and Recorder
Stillwater County Courthouse
Columbus, MT 59019

Mrs. Hazel D. Fallang
Clerk and Recorder
Sweet Grass County Courthouse
Big Timber, MT 59011

John C. Chaffin
Dept. of Interior
SOL/DER/6045
18th and C Streets NW
Washington, D.C. 20240

Regional Director
U.S. Fish and Wildlife Service
P.O. Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Attorney
Federal Building
Billings, MT 59101

Aaron Hostyk
U.S. Army Engineer District Omaha
Corps of Engineers
6014 U.S. Post Office & Courthouse
Omaha, NE 68102

Tom Luebben
Attorney
P.O. Box 25686
Albuquerque, NM 87125

HKM Associates
Ralph Saunders
P.O. Box 31318
Billings, MT 59107

Swanberg, Koby, Swanberg & Matteucci
Attorneys
P.O. Box 2567
Great Falls, MT 59403

Tom K. Hopgood
Loble & Pauley
Box 176
Helena, MT 59624

Vern House
Extension Economics
210 Linfield Hall, MSU
Bozeman, MT 59717

Lester Loble II
Box 176
Helena, MT 59624

Josephson & Fredricks
Box 1047
Big Timber, MT 59047

Michael Zimmerman
MPC
40 East Broadway
Butte, MT 59701

John R. Hill, Jr.
U.S. Dept. of Justice
1961 Stout Street, Drawer 3607
Denver, CO 80294

Tim D. Hall
DNRC
32 South Ewing
Helena, MT 59620

Jim McLean
Box 1122
Bozeman, MT 59715

Mike Whittington
National Park Service
301 S. Howes Street
Fort Collins, CO 80521

David C. Moon
P.O. Box 1288
Bozeman, MT 59715

Dr. S.L. Ponce
National Park Service
Federal Building, Rm. 343
301 S. Howes Street
Fort Collins, CO 80521

A. Suzanne Nellen
Box 1412
Bozeman, MT 59715

Rich Munger
1007 N. Warren
Helena, MT 59601

Candace West
DNRC
32 South Ewing
Helena, MT 59620

Lyle Manley
Dept. of State Lands
Capitol Station
Helena, MT 59620

BASIN

43BV

**NOTICE OF OBJECTION
AND REQUEST FOR
PRELIMINARY HEARING**

IN THE WATER COURTS OF THE STATE OF MONTANA
YELLOWSTONE DIVISION - SWEET GRASS CREEK BASIN (43BV)

NOTICE THAT OBJECTIONS HAVE BEEN FILED AND THOSE OBJECTORS HAVE
REQUESTED PRELIMINARY HEARINGS

This is notice that objections have been filed and hearings have been requested on several of the water rights issued in the Sweet Grass Creek Temporary Preliminary Decree. If your water right was objected to by another party, you will receive a special notice of that objection attached to this sheet.

WHAT HAPPENS NEXT?

A hearing will be held on those water rights that have been objected to. You are notified that an individual water right may be altered as a result of a hearing requested by another party.

WE SUGGEST YOU LOOK AT ALL OF THE OBJECTIONS FILED IN THE SWEET GRASS CREEK BASIN. THEN YOU CAN DECIDE WHETHER YOU WANT TO APPEAR AND TAKE PART IN ANY HEARINGS. SEE BELOW WHERE YOU CAN SEE THE LIST OF OBJECTIONS FOR THIS BASIN.

HOW TO APPEAR AND PARTICIPATE IN HEARINGS ON OBJECTIONS

To participate in any hearing on objections filed in this Basin, you MUST file a Notice of Intent to Appear. THAT NOTICE MUST BE ON THE FORMS PROVIDED BY THE WATER COURTS. These forms can be found at the offices list on page 2 of this Notice.

ALL NOTICES OF INTENT TO APPEAR MUST BE FILED AND RECEIVED BY THE 14th DAY OF August, 1985.

Notices of Intent to Appear must be sent to the Water Courts, P.O. Box 879, Bozeman, MT 59715.

The failure to file a Notice may, at the discretion of the Water Judge or Water Master, result in the exclusion of the party at further proceedings or in the continuance of a hearing if the party failing to file appears at the hearing. THOSE PARTIES WHO FILED THE ORIGINAL OBJECTION DO NOT NEED TO FILE A NOTICE OF INTENT TO APPEAR AND PARTICIPATE.

WHERE TO SEE THE LIST OF OBJECTIONS

A listing of all of the objections is available for review at:

1. Water Courts' Office, P.O. Box 879, Bozeman, MT 59715
2. Department of Natural Resources and Conservation, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources and Conservation Field Office, 1537 Avenue D, Suite 352, Billings, MT 59101
4. Clerk of Court, Park County, Livingston, MT 59047
5. Clerk and Recorder, Park County, Livingston, MT 59047
6. Clerk of Court, Stillwater County, Columbus, MT 59019
7. Clerk and Recorder, Stillwater County, Columbus, MT 59019
8. Clerk of Court, Sweet Grass County, Big Timber, MT 59011
9. Clerk and Recorder, Sweet Grass County, Big Timber, MT 59011

A copy of any specific objection in its entirety can be obtained from the Water Courts, P.O. Box 879, Bozeman, MT 59715; phone (406) 586-4364 or toll free 1-800-624-3270.

If you have other questions, please call the Water Courts.

(over please)

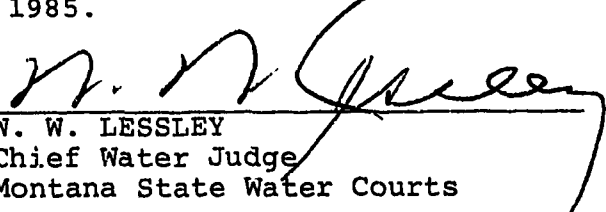
WHAT HAPPENS AFTER?

The Court shall notify those parties who filed an objection or Notice of Intent to Appear in a particular preliminary hearing before the time any proceedings are set by the Water Courts.

THE WATER COURT RULES AND NOTICE OF INTENT TO APPEAR FORMS ARE AVAILABLE AT THE OFFICES LISTED BELOW:

1. Water Courts' Office, P.O. Box 879, Bozeman, MT 59715
2. Clerk of Court, Park County, Livingston, MT 59047
3. Clerk of Court, Stillwater County, Columbus, MT 59019
4. Clerk of Court, Sweet Grass County, Big Timber, MT 59011

DATED this 15th day of July, 1985.


W. W. LESSLEY
Chief Water Judge
Montana State Water Courts

OBJECTIONS TO THE SWEET GRASS CREEK BASIN TEMPORARY PRELIMINARY DECREE

43BV

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
	Sweet Grass Creek Basin	United States of America		To Temporary Preliminary Decree and Findings of Fact
004001	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Leland R. Sorenson and Donald L. Bainter	Ownership, priority date and decree exception remark
004164	Sweet Grass Creek	Montana Dept. of Natural Resources and Conservation	Emily and Philip Schuman	Place of use and acres irrigated
004170	Spring, Trib. Sweet Grass Creek	Bureau of Land Management	Emily and Philip Schuman	Place of use and point of diversion
004170	Spring, Trib. Sweet Grass Creek	Philip Schuman	Lyle K. and Jessie L. Jones	Ownership, priority date and decree exception remark
004187	Crest Creek	Sweet Grass Canal and Reservoir Company	Lyle K. and Jessie L. Jones	Priority date
004189	Well	Montana Dept. of Natural Resources and Conservation	Lyle K. and Jessie L. Jones	Place of use and point of diversion
004192	Sams Creek	Lyle K. Jones	Lyle K. and Jessie L. Jones	Ownership
004192	Sams Creek	Bureau of Land Management	Lyle K. and Jessie L. Jones	Ownership
004194	Crest Creek	Bureau of Land Management	Lyle K. and Jessie L. Jones	Place of use and point of diversion
004194	Crest Creek	Lyle K. Jones	Lyle K. and Jessie L. Jones	Ownership, priority date and question if a decreed right
006939	Spring Creek	Sweet Grass Canal and Reservoir Company	Harry M. Jabs	

THESE OBJECTIONS TO THE SWEET GRASS CREEK TEMPORARY PRELIMINARY DECREE DO NOT CONTAIN ALL OF THE INFORMATION FILED BY AN OBJECTING PARTY. TO OBTAIN A COPY OF AN OBJECTION IN ITS ENTIRETY, CONTACT THE WATER COURTS AT P.O. BOX 879, BOZEMAN, MT 59715, PHONE (406) 586-4364.

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
006940	Sweet Grass Creek	George Cremer	Harry M. Jabs	Ownership and flow rate
006941	Sweet Grass Creek	Harry M. Jabs	Harry M. Jabs	Priority date, volume and flow rate
006942	UT Cayuse Creek	George Cremer	Harry M. Jabs	Ownership
006942	UT Cayuse Creek	Sweet Grass Canal and Reser- voir Company	Harry M. Jabs	Ownership, priority date and question if a decreed right
006942	UT Cayuse Creek	Harry M. Jabs	Harry M. Jabs	Volume and flow rate
006943	Sweet Grass Creek	James J. Martin	James J. Martin	Priority date and flow rate
006943	Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	James J. Martin	Ownership, priority date and question if a decreed right
006951	Sweet Grass Creek	Kermit L. Anderson	Kathleen J. and David Scheel and Kermit L. Anderson	Volume and period of use
006952	Basin Creek	Kermit L. Anderson	Kathleen J. and David Scheel and Kermit L. Anderson	Source
006953	Basin Creek	Kermit L. Anderson	Kathleen J. and David Scheel and Kermit L. Anderson	Source
006954	Sweet Grass Creek	Kermit L. Anderson	Kathleen J. and David Scheel and Kermit L. Anderson	Volume
006955	UT Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	Kathleen J. and David Scheel and Kermit L. Anderson	Ownership, priority date and question if a decreed right
006955	UT Sweet Grass Creek	Kermit L. Anderson	Kathleen J. and David Scheel and Kermit L. Anderson	Place of use and acres irrigated
006966	Sweet Grass Creek	Morris Tronrud, Jr.	Sweet Grass Land and Livestock Company	Place of use, period of use and volume
006967	Sweet Grass Creek	Morris Tronrud, Jr.	Sweet Grass Land and Livestock Company	Place of use, period of use and volume

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
006968	Sweet Grass Creek	Morris Tronrud, Jr.	Sweet Grass Land and Li. stock Company	Place of use, period of use and volume
006969	Sweet Grass Creek	Morris Tronrud, Jr.	Sweet Grass Land and Livestock Company	Place of use, period of use and volume
006970	Hoff Creek	Sweet Grass Canal and Reser- voir Company	Sweet Grass Land and Livestock Company	Ownership, priority date and question if a decreed right
006970	Hoff Creek	Morris Tronrud, Jr.	Sweet Grass Land and Livestock Company	Place of use, period of use and volume
006971	Basin Creek	Sweet Grass Canal and Reser- voir Company	Sweet Grass Land and Livestock Company	Ownership, priority date and question if a decreed right
006971	Basin Creek	Morris Tronrud, Jr.	Sweet Grass Land and Livestock Company	Place of use, period of use and volume
006972	Sweet Grass Creek	George E. Tronrud	George E. Tronrud	Place of use, period of use and volume
006973	Sweet Grass Creek	Morris Tronrud, Jr.	Morris Tronrud, Jr.	Place of use, period of use and volume
006974	Basin Creek	Sweet Grass Canal and Reser- voir Company	George E. Tronrud	Ownership, priority date and question of a decreed right
006974	Basin Creek	George E. Tronrud	George E. Tronrud	Place of use, period of use and volume
006975	Sweet Grass Creek	George E. Tronrud	George E. Tronrud	Place of use, period of use and volume
006976	Sweet Grass Creek	George E. Tronrud	George E. Tronrud	Place of use, period of use and volume
007795	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Point of diversion
007800	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Point of diversion

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
007818	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007818	Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	Donald S. and Katherine S. Norem	Ownership, priority date and question if a decreed right
007819	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007820	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated, point of diversion and period of use
007821	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated, point of diversion and period of use
007821	Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	Donald S. and Katherine S. Norem	Ownership, priority date and question if a decreed right
007822	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007823	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007824	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007825	Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated, point of diversion and period of use
007825	Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	Donald S. and Katherine S. Norem	Ownership, priority date and question if a decreed right
007827	Trib. Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007828	Trib. Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
007829	Trib. Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007830	Trib. Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007831	Trib. Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume, acres irrigated and period of use
007833	Trib. Billy Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume and period of use
007834	Trib. Billy Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume and period of use
007837	Trib. Sweet Grass Creek	Donald Norem	Donald S. and Katherine S. Norem	Volume and period of use
007838	Trib. Sweet Grass	Donald Norem	Donald S. and Katherine S. Norem	Volume and period of use
008300	Dry Fork, Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Alta M. and Oliver F. Eppens	Ownership, priority date and question if a decreed right
010206	South Fork, American Fork	Montana Dept. Natural Resources and Conservation	Charles M. and Lloyd G. Rein	Interbasin transfer of water with Basin #40A; was not included in 43BV decree
010207	South Fork, American Fork	Montana Dept. Natural Resources and Conservation	Charles M. and Lloyd G. Rein	Interbasin transfer of water with Basin #40A; was not included in 43BV decree
010208	Blackaby Creek	Montana Dept. Natural Resources and Conservation	Charles M. and Lloyd G. Rein	Interbasin transfer of water with Basin #40A; was not included in 43BV decree
010209	Blackaby Creek	Montana Dept. Natural Resources and Conservation	Charles M. and Lloyd G. Rein	Interbasin transfer of water with Basin #40A; was not included in 43BV decree
012251	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Michael W. Boyd and Frances B. Tobriner	Ownership, priority date and question if a decreed right

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
012292	Cayuse Creek	George Cremer	James J. Martin	Ownership
012292	Cayuse Creek	Sweet Grass Canal and Reservoir Company	James J. Martin	Ownership, priority date and decree exception remark
017154	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Kathleen J. and David Scheel and Kermit L. Anderson	Ownership, priority date and question if a decreed right
017154	Sweet Grass Creek	Kermit L. Anderson	Kathleen J. and David Scheel and Kermit L. Anderson	Volume
021005	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Michael W. Boyd and Frances B. Tobriner	Ownership, priority date and question if a decreed right
023166	Dry Fork, Sweet Grass	Sweet Grass Canal and Reservoir Company	Gustav and Geraldine N. Norman	Ownership, priority date and question if a decreed right
027176	East Fork, Sweet Grass	Sweet Grass Canal and Reservoir Company	Derrall and Betty J. Pipkin	Ownership, priority date and question if a decreed right
027177	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Derrall and Betty J. Pipkin	Ownership, priority date and question if a decreed right
029292	Spring, Trib. Sweet Grass Creek	Bureau of Land Management	Derrall and Betty J. Pipkin	Ownership
029293	Spring, Trib. Sweet Grass Creek	Bureau of Land Management	Derrall and Betty J. Pipkin	Ownership
033348	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Arthur J. and Alta J. Meserve, and Nancy C. and Royal A. Westervelt	Ownership, priority date and question if a decreed right
034444	Agnes Creek	Montana Dept. Natural Resources and Conservation	Victor Tronrud, Company	Interbasin transfer of water with Basin #40A; was not included in 43BV decree
034447	South Fork, American Fork	Montana Dept. Natural Resources and Conservation	Victor Tronrud, Company	Interbasin transfer of water with Basin #40A; was not included in 43BV decree

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
034448	South Fork, American Fork	Montana Dept. Natural Resources and Conservation	Victor Tronrud Company	Interbasin transfer of water with Basin #40A; was not included in 43BV decree
034449	Agnes Creek	Montana Dept. Natural Resources and Conservation	Victor Tronrud Company	Interbasin transfer of water with Basin #40A; was not included in 43BV decree
034450	Sweet Grass Creek	Victor Tronrud, Jr.	Victor Tronrud Company	Volume and period of use
034451	Sweet Grass Creek	Victor Tronrud, Jr.	Victor Tronrud Company	Volume, period of use and place of use
034452	Sweet Grass Creek	Victor Tronrud, Jr.	Victor Tronrud Company	Volume, period of use and place of use
034453	South Fork, American Fork	Montana Dept. Natural Resources and Conservation	Victor Tronrud Company	Interbasin transfer of water with Basin #40A; was not included in 43BV decree
036363	Spring, Trib. Cotton-wood Creek	Montana Dept. Natural Resources and Conservation	William E. Hoagland	Source
036562	Billy Creek	Sweet Grass Canal and Reservoir Company	Thorvald E. Anderson	Ownership, priority date and question if a decreed right
036562	Billy Creek	Thorvald E. Anderson	Thorvald E. Anderson	Source and point of diversion (claim was misbasinized and should be in Basin #43B instead of Basin #43BV)
036562	Billy Creek	Montana Dept. Natural Resources and Conservation	Thorvald E. Anderson	Claim placed in Basin #43BV and should be in #43B; (claim was misbasinized and should be in Basin #43B instead of #43BV)
036564	Billy Creek	Sweet Grass Canal and Reservoir Company	Thorvald E. Anderson	Ownership, priority date and question if a decreed right
036564	Billy Creek	Thorvald E. Anderson	Thorvald E. Anderson	Source and point of diversion (cont. on next page)

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
036564 (cont.)				(claim was misbasinized and should be in Basin #43B instead of #43BV)
036564	Billy Creek	Montana Dept. Natural Resources	Thorvald E. Anderson	Claim placed in Basin #43BV and should be in #43B; (claim was misbasinized and should be in Basin #43B instead of #43BV)
036655	East Fork, Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Gerald Connolly and Donald R. Pearce	Ownership, priority date and question if a decreed right
036656	Divide Creek	Sweet Grass Canal and Reservoir Company	Gerald Connolly and Donald R. Pearce	Ownership, priority date and question if a decreed right
036658	Spring Creek	Sweet Grass Canal and Reservoir Company	Gerald Connolly and Donald R. Pearce	Ownership, priority date and question if a decreed right
039531	East Fork of Middle Fork, Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Raymond T. Pearce	Source
042611	East Fork, Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Montana Dept. State Lands	Ownership, priority date and question if a decreed right
100731	Dry Fork, Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Linda M. and Peter C. Harms	Ownership, priority date and question if a decreed right
100732	Wildcat Creek	Linda M. Harms	Linda M. and Peter C. Harms	Acres irrigated, flow rate volume and period of use
100756	UT Wildcat Creek	Linda M. Harms	Linda M. and Peter C. Harms	Point of diversion
100759	Wildcat Creek	Linda M. Harms	Linda M. and Peter C. Harms	Point of diversion
100760	Well	Linda M. Harms	Linda M. and Peter C. Harms	Flow rate
100761	Well	Linda M. Harms	Linda M. and Peter C. Harms	Point of diversion
100769	Spring, Trib. Sweet Grass Creek and Dry Creek	Montana Dept. Natural Resources and Conservation	Linda M. and Peter C. Harms	Source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
100784	Basin Creek	George E. Tronrud	George E. Tronrud	Place of use, period of use and volume
100785	Sweet Grass Creek	George E. Tronrud	George E. Tronrud	Place of use, period of use and volume
100786	Sweet Grass Creek	George E. Tronrud	George E. Tronrud	Place of use, period of use and volume
106306	Spring, Trib. Billy Creek	Charles P. Anderson	Billy Creek Ranch, Inc.	Source
106307	UT Billy Creek	Charles P. Anderson	Billy Creek Ranch, Inc.	Source
106307	UT Billy Creek	Sweet Grass Canal and Reservoir Company	Billy Creek Ranch, Inc.	Ownership, priority date and question if a decreed right
106313	Sweet Grass Creek	C. Perry Anderson	Charlotte W.C. Anderson	Flow rate
114040	Sweet Grass Creek	E. Hunt McCauley	McCauley Farms	Ownership
114041	Sweet Grass Creek	E. Hunt McCauley	McCauley Farms	Place of use
114042	Sweet Grass Creek	E. Hunt McCauley	McCauley Farms	Place of use
114043	Sweet Grass Creek	E. Hunt McCauley	E. Hunt McCauley	Ownership and place of use
114045	Cayuse Creek	Sweet Grass Canal and Reservoir Company	Cayuse Livestock Company	Ownership, priority date and decree exception remark
114045	Cayuse Creek	William H. Donald	Cayuse Livestock Company	Priority date and flow rate
114046	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Cayuse Livestock Company	Ownership, priority date and question if a decreed right
114046	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114047	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Cayuse Livestock Company	Ownership, priority date and question if a decreed right

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
114047	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114048	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114049	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114050	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114051	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114052	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114053	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114054	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114055	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114056	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114057	Sweet Grass Creek	William H. Donald	Cayuse Livestock Company	Volume
114059	Sweet Grass Creek	George Cremer	Bainter & Sons, Inc.	Ownership
114059	Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	Bainter & Sons, Inc.	Ownership, priority date and decree exception remark
114059	Sweet Grass Creek	Raymond W. Bainter	Bainter & Sons, Inc.	Place of use and acres irrigated
114060	Sweet Grass Creek	Raymond W. Bainter	Bainter & Sons, Inc.	Place of use and acres irrigated
114061	Sweet Grass Creek	Raymond W. Bainter	Bainter & Sons, Inc.	Place of use and acres irrigated
116573	Sweet Grass Creek	David D. Drivdahl	David D. and Marcella A. Drivdahl	Point of diversion
116574	UT Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	David D. and Marcella A. Drivdahl	Ownership, priority date and question if a decreed right
116574	UT Sweet Grass Creek	David D. Drivdahl	David D. and Marcella A. Drivdahl	Means of diversion

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
116575	Rye Creek	Sweet Grass Canal and Reservoir Company	David D. and Marcella A. Drivdahl	Ownership, priority date and question if a decreed right
116576	Sweet Grass Creek	David D. Drivdahl	David D. and Marcella A. Drivdahl	Point of diversion
121104	Sweet Grass Creek	Motion of the Water Courts	Pederson land & livestock,	Supplemental remark - will be changed to include late claims
123974	Hoff Creek	Morris Tronrud, Jr.	Sweet Grass land and livestock Company	Place of use, period of use and volume
123975	Sweet Grass Creek	Morris Tronrud, Jr.	Sweet Grass land and livestock Company	Place of use, period of use and volume
123976	Sweet Grass Creek	Morris Tronrud, Jr.	Sweet Grass land and livestock Company	Place of use, period of use and volume
123977	Basin Creek	Morris Tronrud, Jr.	Sweet Grass land and livestock Company	Place of use, period of use and volume
123978	Sweet Grass Creek	Morris Tronrud, Jr.	Sweet Grass land and livestock Company	Place of use, period of use and volume
123979	UT Basin Creek	Sweet Grass Canal and Reservoir Company	Sweet Grass land and livestock Company	Ownership, priority date and question if a decreed right
123980	UT Basin Creek	Morris Tronrud, Jr.	Sweet Grass land and livestock Company	Place of use, period of use and volume
123981	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Sweet Grass land and livestock Company	Ownership, priority date and question if a decreed right
123982	Sweet Grass Creek	Morris Tronrud, Jr.	Sweet Grass land and livestock Company	Place of use, period of use and volume

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
123994	UT Basin Creek	Sweet Grass Canal and Reser- voir Company	George E. Tronrud	Ownership, priority date and question if a decreed right
123994	UT Basin Creek	George E. Tronrud	George E. Tronrud	Place of use and period of use
123995	UT Basin Creek	Sweet Grass Canal and Reser- voir Company	George E. Tronrud	Ownership, priority date and question if a decreed right
123995	UT Basin Creek	George E. Tronrud	George E. Tronrud	Place of use and period of use
125787	Sweet Grass Creek	Motion of Water Courts	Sweet Grass Canal & Reservoir Company	Remarks
125787	Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	Sweet Grass Canal & Reservoir Company	Ownership, priority date and question if a decreed right
125787	Sweet Grass Creek	Elwood Schwerts	Sweet Grass Canal & Reservoir Company	Volume, place of use, acres irrigated and period of use
127311	Sweet Grass Creek	Thomas G. Agnew	Diana D. and Thomas G. Agnew	Place of use and acres irrigated
127313	Sweet Grass Creek	Thomas G. Agnew	Diana D. and Thomas G. Agnew	Place of use and acres irrigated
127316	Sweet Grass Creek	Norman K. Starr	Norman K. Starr	Point of diversion
127317	Sweet Grass Creek	Montana Dept. State Lands	Divide Ranch, Inc. and Norman K. Starr	Ownership
127321	Rock Creek	Norman K. Starr	Norman K. Starr	Place of use
127347	Sweet Grass Creek	Montana Dept. State Lands	Divide Ranch, Inc. and Norman K. Starr	Ownership, place of use and point of diversion
127350	Sweet Grass Creek	Montana Dept. State Lands	Divide Ranch, Inc. and Norman K. Starr	Ownership, place of use and point of diversion

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
127351	Sweet Grass Creek	Montana Dept. State Lands	Divide Ranch, Inc. and Norman K. Starr	Ownership, place of use and point of diversion
127352	Sweet Grass Creek	Montana Dept. State Lands	Divide Ranch, Inc. and Norman K. Starr	Ownership, place of use and point of diversion
127353	Sweet Grass Creek	Norman K. Starr	Norman K. Starr	Place of use and acres irrigated
127354	Sweet Grass Creek	Norman K. Starr	Norman K. Starr	Place of use and acres irrigated
127355	Sweet Grass Creek	Norman K. Starr	Norman K. Starr	Place of use and acres irrigated
127356	Cayuse Creek	Norman K. Starr	Norman K. Starr	Place of use and acres irrigated
127357	Cayuse Creek	Norman K. Starr	Norman K. Starr	Place of use and acres irrigated
127358	Cayuse Creek	Norman K. Starr	Norman K. Starr	Place of use and acres irrigated
127361	Sweet Grass Creek	Montana Dept. State Lands	Divide Ranch, Inc. and Norman K. Starr	Ownership
127362	Sweet Grass Creek	Montana Dept. State Lands	Divide Ranch, Inc. and Norman K. Starr	Ownership, place of use and point of diversion
127363	Sweet Grass Creek	Norman K. Starr	Norman K. Starr	Place of use and acres irrigated
127364	Sweet Grass Creek	Norman K. Starr	Norman K. Starr	Place of use and acres irrigated
136250	Sweet Grass Creek	J.R. Cleveland, Sr.	J.R. Cleveland, Sr.	Place of use, acres irrigated and volume
136251	Sweet Grass Creek	J.R. Cleveland, Sr.	J.R. Cleveland, Sr.	Place of use, acres irrigated and volume
136252	Sweet Grass Creek	J.R. Cleveland, Sr.	J.R. Cleveland, Sr.	Place of use, acres irrigated and volume
136253	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	J.R. Cleveland, Sr.	Acres irrigated, volume and flow rate
136253	Sweet Grass Creek	Bureau of Reclamation	J.R. Cleveland, Sr.	Acres irrigated and volume
136253	Sweet Grass Creek	J.R. Cleveland, Sr.	J.R. Cleveland, Sr.	Volume, acres irrigated and gray area remark

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
136354	Sweet Grass Creek	J.R. Cleveland, Sr.	J.R. Cleveland, Sr.	Place of use, acres irrigated and volume
136258	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136259	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136260	Spring, Trib. Cotton- wood Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136262	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136263	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136264	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136268	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136269	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136269	Spring, Trib. Sweet Grass Creek	Montana Dept. State Lands	George L. Cremer and Leo J. Cremer, Jr.	Ownership
136270	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136270	Spring, Trib. Sweet Grass Creek	Montana Dept. State Lands	George L. Cremer and Leo J. Cremer, Jr.	Ownership
136271	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136272	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
136272	Well	Montana Dept. State Lands	George L. Cremer and Leo J. Cremer, Jr.	Ownership
136273	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136274	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136275	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136276	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136277	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136278	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136279	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136280	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136281	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136282	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136283	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136284	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136285	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
136286	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136287	Spring, Trib. Ryan Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136288	Spring, Trib. Sourdough Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136288	Spring, Trib. Sourdough Creek	Montana Dept. State Lands	George L. Cremer and Leo J. Cremer, Jr.	Ownership
136289	Spring, Trib. Cayuse Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136290	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136291	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
136292	Wildcat Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
136293	Hamilton Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
136294	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
136308	Basin Creek	Sweet Grass Canal and Reser- voir Company	Russell W. Hope	Ownership, priority date and question if a decreed right
136314	Basin Creek	Sweet Grass Canal and Reser- voir Company	Dennis Holman	Ownership, priority date and decree exception remark
136315	UT Basin Creek	Sweet Grass Canal and Reser- voir Company	Dennis Holman	Ownership, priority date and decree exception remark
136316	Sweet Grass Creek	Bureau of Reclamation	Dennis Holman	Volume and acres irrigated

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Obj</u>	
138098	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sourc	1. place of
138099	Spring, Trib. Cayuse Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sourc	1. place of
138100	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sourc	1. place of
138101	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sourc	1. place of
138102	Spring, Trib. Hamilton Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138103	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138104	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138105	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138106	Spring, Trib. Wildcat Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138107	Spring, Trib. Wildcat Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138108	Spring, Trib. Sweet Grass	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138109	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138110	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of
138111	Spring, Trib. Hamilton Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of dive use and sour	1. place of

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Object</u>	<u>Place of</u>
138112	Spring, Trib. Hamilton Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138113	Spring, Trib. Hamilton Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138114	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138115	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138116	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138117	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138118	Spring, Trib. Sourdough Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138119	Spring, Trib. Sourdough Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138120	Spring, Trib. Sourdough Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138121	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138122	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138123	Spring, Trib. Wildcat Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138124	Spring, Trib. Sourdough Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of
138125	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of divers use and source	Place of

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>	
138126	Well	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, use and source	of
138127	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, use and source	of
138128	Spring, Trib. Ryan Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, use and source	of
138128	Spring, Trib. Ryan Creek	Bureau of Land Management	George L. Cremer and Leo J. Cremer, Jr.	Ownership, place of point of diversion withdrawn 6-20-85	and see for
138129	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of
138130	Spring, Trib. Cayuse Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of
138131	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of
138132	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of
138133	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of
138134	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of
138135	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of
138136	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of
138137	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion use and source	of

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to a Decree</u>	<u>Nature of Objection</u>
138138	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138139	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138140	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138141	Spring, Trib. Sourdough Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138142	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138143	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138144	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138145	Sourdough Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, plac use and source
138471	Sweet Grass Creek	Pamela S. Rein	Divide Ranch	Place of use and point diversion
138472	Sweet Grass Creek	Pamela S. Rein	Divide Ranch	Point of diversion and Place of use
138474	Sweet Grass Creek	Pamela S. Rein	Divide Ranch	Point of diversion, plac use and source
138490	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138491	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source
138492	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, plac use and source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
138493	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138494	Spring, Trib. Sweet Grass Creek	Motion of water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138495	Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138496	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138497	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138498	Spring, Trib. Hamilton Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138499	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138500	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138501	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138502	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138503	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138504	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source
138505	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place use and source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Use</u>
138506	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion of use
138507	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion of use
138853	Sweet Grass Creek	William H. Donald	Glennie Ranch, Inc.	Ownership and purpose of right
138986	UT Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Ralph E. and Barbara W. Cosgriff	Ownership, priority date and question if a decreed right
138987	UT Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Ralph E. and Barbara W. Cosgriff	Ownership, priority date and question if a decreed right
139691	UT Cayuse Creek	Burton A. and Marjorie L. Robinson	Burton A. and Marjorie L. Robinson	Volume
139591	UT Cayuse Creek	Sweet Grass Canal and Reservoir Company	Burton A. and Marjorie L. Robinson	Ownership, priority date and question if a decreed right
139691	UT Cayuse Creek	Bureau of Reclamation	Burton A. and Marjorie L. Robinson	Volume and acres irrigated
139692	Sweet Grass Creek	Burton A. and Marjorie L. Robinson	Burton A. and Marjorie L. Robinson	Volume
139693	Sweet Grass Creek	Burton A. and Marjorie L. Robinson	Burton A. and Marjorie L. Robinson	Volume
143440	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Elizabeth H. Nord	Ownership, priority date and question if a decreed right
143441	Sweet Grass Creek	Notice Only	Elizabeth H. Nord	Late claim per remark
143442	Sweet Grass Creek	Notice Only	Elizabeth H. Nord	Late claim per remark
150275	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - place of and point of diversion
150275	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150276	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150276	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150277	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150277	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150278	Sourdough Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150278	Sourdough Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150279	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150279	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150280	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150280	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150281	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150281	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150282	Rye Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150282	Rye Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150283	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150283	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150284	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150284	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150285	Rye Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150285	Rye Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150286	Cayuse Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150286	Cayuse Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150287	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150287	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150288	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150288	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150289	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion place of use and source
150289	Sweet Grass Creek	Montana Dept. State Lands	Cremer Ranch, et al.	Place of use
150290	UT Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150291	Billy Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150291	Billy Creek	Montana Dept. State Lands	Cremer Ranch, et al.	Ownership, place of use and means of diversion
150292	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150292	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150298	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J Cremer, Jr.	Point of diversion, place of use and source
150299	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150299	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150300	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150300	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150301	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150301	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150302	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150302	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150303	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150303	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150304	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150304	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150305	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150305	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150306	Waste & Seepage, Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150306	Waste & Seepage, Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150307	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150307	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150308	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150308	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150309	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150309	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150310	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150310	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150311	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150311	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150312	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150312	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150313	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150313	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150314	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150314	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150314	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Cremer Ranch, et al.	Ownership, priority date and question if a decreed right
150315	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150315	Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Cremer Ranch, et al.	Ownership, priority date and question if a decreed right
150315	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150316	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150316	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150317	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150317	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150318	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150318	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150319	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150319	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150320	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150320	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150321	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150321	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150322	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150322	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150323	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150323	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150324	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150324	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150325	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150325	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150326	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150326	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150327	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150327	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150328	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150328	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150329	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150329	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150330	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150330	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150331	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150331	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150332	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150332	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150333	Waste & Seepage, Trib. Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150333	Waste & Seepage, Trib. Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Place of use
150333	Waste & Seepage, Trib. Sweet Grass Creek	Sweet Grass Canal and Reservoir Company	Cremer Ranch, et al.	Ownership, priority date and question if a decreed right

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150334	Sourdough Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150334	Sourdough Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150335	Wildcat Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150335	Wildcat Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150336	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150336	Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	Cremer Ranch, et al.	Ownership, priority date and question if a decreed right
150336	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Place of use and acres irrigated
150337	Cayuse Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150337	Cayuse Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150337	Cayuse Creek	Sweet Grass Canal and Reser- voir Company	Cremer Ranch, et al.	Ownership, priority date and question if a decreed right
150338	Billy Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150338	Billy Creek	Sweet Grass Canal and Reser- voir Company	Cremer Ranch, et al.	Ownership, priority date and question if a decreed right
150338	Billy Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
150339	Rye Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150339	Rye Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150340	Rye Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150340	Rye Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
150613	Sweet Grass Creek	Motion of Water Courts	Cremer Ranch, et al.	Point of diversion, place of use and source
150613	Sweet Grass Creek	Montana Dept. Natural Resources and Conservation	Cremer Ranch, et al.	Late Objection - Point of diversion and place of use
153949	Rye Creek	Sweet Grass Canal and Reser- voir Company	Kermit L. and Carl N. Anderson	Ownership, priority date and question if a decreed right
153949	Rye Creek	Kermit L. Anderson	Kermit L. and Carl N. Anderson	Ownership
154045	Sweet Grass Creek	Sweet Grass Canal and Reser- voir Company	Kermit L. and Carl N. Anderson	Ownership, priority date and question if a decreed right
154045	Sweet Grass Creek	Kermit L. Anderson	Kermit L. and Carl N. Anderson	Ownership
179857	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
179874	Spring, Trib. Dead Beaver Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
179877	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
179897	Spring, Trib. Hamilton Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
179898	Spring, Trib. Spring Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
181240	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
181246	Spring, Trib. Sweet Grass Creek	Motion of Water Courts	George L. Cremer and Leo J. Cremer, Jr.	Point of diversion, place of use and source
198469	Agnes Creek	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
198495	American Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
198496	America. Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
198497	American Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
198498	American Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
198499	American Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
198500	American Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree

<u>Water Right Number</u>	<u>Source</u>	<u>Name of Party Objecting</u>	<u>Party Right Issued to in Decree</u>	<u>Nature of Objection</u>
198501	American Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
1985C2	American Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
198503	American Fork	Montana Dept. Natural Resources and Conservation	American Fork Ranch	Interbasin transfer of water with Basin #40A; was not in- cluded in 43BV decree
211205	Cayuse Creek	Notice Only	Cayuse Livestock Company	Request to file Late Claim
211225	Sweet Grass Creek	Notice Only	Philip and Emily Schuman	Request to file Late Claim
211234	UT Spring Creek	Notice Only	John E. Yost	Request to file Late Claim
211259	Sweet Grass Creek	Notice Only	Pederson Land & Livestock	Request to file Late Claim
211260	Sweet Grass Creek	Notice Only	Blanche Pederson	Request to file Late Claim

ATTACHMENT TO THE CERTIFICATE OF MAILING FOR THE NOTICE OF OBJECTION AND
REQUEST FOR PRELIMINARY HEARING.

BASIN

43 BV

FOR RETURN MAIL LIST, SEE THE NAME VARIATION LIST GENERATED AT THE TIME OF THE
TEMP. AND/OR PRELIMINARY DECREE MAILING WHICH IS ATTACHED TO THE CERTIFICATE OF
MAILING FOR THE AMENDED CERTIFICATE OF MAILING FOR THE TEMP. AND/OR PRELIMINARY
DECREE.

WILSON
HOLSE
YOST,
YOST,
JR

ROBERT
SHUTLE
JUDITH
JOHN
JERLE
IRVING

על-ידי חזקת השם.

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 43BV

GIBSON RT BOX 739
GIBSON RT BOX 739
PO BOX 331
DRAWER 5 179
PO BOX 179

BIG
BIG
BIG
BIG
BIG
BIG

TIMBER
TIMBER
TIMBER
TIMBER
TIMBER
TIMBER

PAGE

5
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MIT
MIT
MIT
MIT

TOTAL NUMBER OF OWNERS = 122

157-1-2

11

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PROPERTY DECREE - TRANSFERRED OWNERS TO BE NOTICED - 545IN 433W

WILLIAMSON
HILLS

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TITL

43 BV

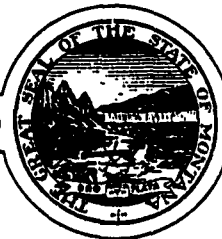
Daniel F. & Kathleen Cypher
6131 Shepherd Rd.
Shepherd, MT 59079

Nilmer R. Nitschke & V. Joyce Nitschke
349 Stewart Ct.
Billings, MT 59105

BASIN 43.BV

**AMENDED CERTIFICATE
OF MAILING
NOTICE OF OBJECTION
AND REQUEST FOR
PRELIMINARY HEARING**

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION



TED SCHWINDEN, GOVERNOR

1920 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-8699

HELENA, MONTANA 59620

March 6, 1986

Ms. Chris Jenson
Water Courts
Box 879
Bozeman, MT 59715

Dear Chris:

Enclosed is the amended certificate of mailing for the Notice of
Objections and Request for Preliminary Hearing for the Temporary
Preliminary Decree for Sweet Grass Creek Basin (Basin 43BV). This mailing
was conducted from 7-15-85 to 3-6-86.

Sincerely,

Jim

Jim Kindle
Records Section Supervisor
Water Rights Bureau

Enclosure
JK/jg

CENTRALIZED SERVICES
DIVISION
(406) 444-8700

CONSERVATION DISTRICTS
DIVISION
(406) 444-8687

ENERGY
DIVISION
(406) 444-8697

OIL AND GAS
DIVISION
(406) 444-8675

WATER RESOURCES
DIVISION
(406) 444-8601

SWEET GRASS CREEK BASIN (Basin 43BV)

AMENDED CERTIFICATE OF MAILING

**Notice of Objection and Request for Preliminary Hearing for the
Temporary Preliminary Decree for the Sweet Grass Creek Basin (Basin 43BV)**

State of Montana)
) ss:
County of Lewis and Clark)

I, JAMES E. KINDLE, Records Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation of the State of Montana, hereby certify that all return mail for the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree for the Sweet Grass Creek Basin (Basin 43BV) has been researched by the water rights field offices and that based on their research the following has been sent, postage prepaid, first class, United States Mail:

A. For persons tiling claims;

1. owner address changes only. Based on research, all parties in the Sweet Grass Creek Basin have been sent the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree.

2. transfered owners. Based on research, all apparent successors in interest in the Sweet Grass Creek Basin for water rights concerning return mail have been sent the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree and Water Right Transfer Certificate forms.

B. For post July 1, 1973 water rights;

1. all parties in the Sweet Grass Creek Basin issued permits for water use in that Basin pursuant to 85-2-301, MCA, 1978, or their successor in interest;

2. all parties who have applied for permits for the use of water in the Sweet Grass Creek Basin pursuant to 85-2-301, MCA, 1978;

3. all parties who have been granted a reservation in the Sweet Grass Creek Basin pursuant to 85-2-316, MCA, 1978;

4. all parties in the Sweet Grass Creek Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; the following has been sent:

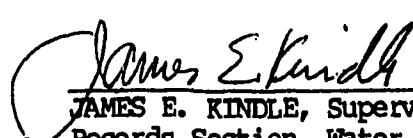
a. owner address changes only. Based on research, all parties have been sent the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree;

b. transferred owners. Based on research, all apparent successors in interest for water rights concerning return mail have been sent the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree and Water Right Transfer Certificate forms.

This mailing and distribution was made under my direction and control from 7-15-85 to 3-6-86.

Original documents concerning return mail, envelopes, research, correspondence, field office confirmation and field office certification of mailing can be found in original files and microfilm files.

Dated this 6th day of MARCH 1986.


JAMES E. KINDLE, Supervisor
Records Section, Water Rights Bureau
Water Resources Division
Dept. of Natural Resources and
Conservation
State of Montana


attachment

Log of noticed water right owners in the basin

State of Montana)
 : ss.
County of Lewis & Clark)

On this 6th day of MARCH 1986, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.


Notary Public for the State of Montana
Residing at Helena
My commission expires 1-21-1987

ATTACHMENT TO THE AMENDED CERTIFICATE OF MAILING FOR THE
NOTICE OF OBJECTION AND REQUEST FOR PRELIMINARY HEARING.

BASIN. 43 BV

THE DIFFERENCES BETWEEN THE FOLLOWING NAME VARIATION LIST AND
THE ONE ATTACHED TO THE AMENDED CERTIFICATE OF MAILING FOR THE
NOTICE OF ENTRY AND AVAILABILITY FOR THE TEMPORARY AND/OR
PRELIMINARY DECREE REFLECT THE RETURN MAIL FROM THE NOTICE OF
OBJECTION AND REQUEST FOR PRELIMINARY HEARING MAILING.

12/08/84 13/15

NAME VARIATION CHECK ON NEW APP & SB76 OWNERS - BASIN 438V

PAGE

NAME	ADDRESS	PROPERTY	STATUS
HAGLAND	HOEM	STATE OF	LANDS
HOEM	HOEM	STATE OF	LANDS
HOLMAN	HOPE	STATE OF	LANDS
HOWARD	HOWARD	STATE OF	LANDS
JABES	JONES	STATE OF	LANDS
JONES	JONES	STATE OF	LANDS
LAFOND	LAFOND	STATE OF	LANDS
LAFOND	LAFOND	STATE OF	LANDS
LAUBACH	LUNDSTROM	STATE OF	LANDS
MARTIN	MARTIN	STATE OF	LANDS
MCCAULEY	MCCAULEY	STATE OF	LANDS
MESERVE	MESERVE	STATE OF	LANDS
MONTANA	MONTANA	STATE OF	LANDS
MONTANA	MONTANA	STATE OF	LANDS
NORD	NORD	STATE OF	LANDS
NOREM	NOREM	STATE OF	LANDS
NORMAN	NORMAN	STATE OF	LANDS
NORMAN	NORMAN	STATE OF	LANDS
OBRIEN	OBRIEN	STATE OF	LANDS
PEARCE	PEARCE	STATE OF	LANDS
PEARCE	PEARCE	STATE OF	LANDS
PEDERSON	PEDERSON	STATE OF	LANDS
PEDERSON	PEDERSON	STATE OF	LANDS
PEDERSON	PEDERSON	STATE OF	LANDS
PIPKIN	PIPKIN	STATE OF	LANDS
ROBINSON	ROBINSON	STATE OF	LANDS
RODRIGUEZ	RODRIGUEZ	STATE OF	LANDS
ROSTAD	ROSTAD	STATE OF	LANDS
SCHHEEL	SCHHEEL	STATE OF	LANDS
SCHUMAN	SCHUMAN	STATE OF	LANDS
SCHUMAN	SCHUMAN	STATE OF	LANDS
SCHUMAN	SCHUMAN	STATE OF	LANDS
SORENSEN	SORENSEN	STATE OF	LANDS
STARR	STARR	STATE OF	LANDS
STREETER	STREETER	STATE OF	LANDS
SWEET	SWEET	STATE OF	LANDS
SWEET	SWEET	STATE OF	LANDS
TORNER	TORNER	STATE OF	LANDS
TORNER	TORNER	STATE OF	LANDS
WILLIAM	WILLIAM	STATE OF	LANDS
RAYMOND	RAYMOND	STATE OF	LANDS
DENNIS	DENNIS	STATE OF	LANDS
RUSSELL	RUSSELL	STATE OF	LANDS
WILLIAM	WILLIAM	STATE OF	LANDS
HARRY	HARRY	STATE OF	LANDS
JESSIE	JESSIE	STATE OF	LANDS
LYLE	LYLE	STATE OF	LANDS
MERILEE	MERILEE	STATE OF	LANDS
RUSSELL	RUSSELL	STATE OF	LANDS
DARREL	DARREL	STATE OF	LANDS
ALBERT	ALBERT	STATE OF	LANDS
JAMES	JAMES	STATE OF	LANDS
JAMES	JAMES	STATE OF	LANDS
HUNT	HUNT	STATE OF	LANDS
ARTHUR	ARTHUR	STATE OF	LANDS
BOARD OF	BOARD OF	STATE OF	LANDS
DEPT OF	DEPT OF	STATE OF	LANDS
ELIZABETH	ELIZABETH	STATE OF	LANDS
DONALD	DONALD	STATE OF	LANDS
KATHERINE	KATHERINE	STATE OF	LANDS
GERALDINE	GERALDINE	STATE OF	LANDS
GUSTAV	GUSTAV	STATE OF	LANDS
DONALD	DONALD	STATE OF	LANDS
DONALD	DONALD	STATE OF	LANDS
RAYMOND	RAYMOND	STATE OF	LANDS
BLANCHE	BLANCHE	STATE OF	LANDS
MILLER	MILLER	STATE OF	LANDS
WILLIAM	WILLIAM	STATE OF	LANDS
LIVESTOCK	LIVESTOCK	STATE OF	LANDS
BETTY	BETTY	STATE OF	LANDS
DERRALL	DERRALL	STATE OF	LANDS
DURTON	DURTON	STATE OF	LANDS
MARJORIE	MARJORIE	STATE OF	LANDS
GILBERT	GILBERT	STATE OF	LANDS
PETER	PETER	STATE OF	LANDS
DAVID	DAVID	STATE OF	LANDS
DAVID	DAVID	STATE OF	LANDS
EMILY	EMILY	STATE OF	LANDS
PHILIP	PHILIP	STATE OF	LANDS
PHILIP	PHILIP	STATE OF	LANDS
LELAND	LELAND	STATE OF	LANDS
LELAND	LELAND	STATE OF	LANDS
NORMAN	NORMAN	STATE OF	LANDS
CLAIR	CLAIR	STATE OF	LANDS
ING.	ING.	STATE OF	LANDS
RANCH	RANCH	STATE OF	LANDS
GRASS	GRASS	STATE OF	LANDS
GRASS	GRASS	STATE OF	LANDS
GRASS	GRASS	STATE OF	LANDS
FRANCES	FRANCES	STATE OF	LANDS
GEORGE	GEORGE	STATE OF	LANDS

[illegible]

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BROADVIEW
GREY CLIFF
BIG TIMBER
MELVILLE
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
JANESVILLE
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
HELENA
HELENA
COLORADO SPRINGS
BIG TIMBER
BIG TIMBER
BIG TIMBER
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
RIVERSIDE
MELVILLE
MELVILLE
KALISPELL
BIG TIMBER
MELVILLE
MELVILLE
BIG TIMBER
BIG TIMBER
BIG TIMBER
FORSYTH
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
BIG TIMBER
OLGA
BIG TIMBER

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